

NATIONAL MUNICIPAL REVIEW

VOL. III, No. 2

APRIL, 1914

TOTAL No. 10

PUBLIC OPINION

BY WILLIAM DUDLEY FOULKE

Richmond, Indiana

PUBLIC opinion is a very indefinite and often a very mysterious thing; it is quite intangible and invisible, yet on many occasions it is irresistible. It resembles the currents of the air; it is sometimes soft and gentle as a summer breeze; sometimes terrible and destructive as a hurricane. It won the stern empire of Rome to the meek religion of the Nazarene and it set France aflame with the red terror of the revolution; it armed all Europe for the recovery of the holy sepulchre and it stirred the heart of America to strike off the shackles of the slave. Slowly and painfully we can arouse it and persuade it but in its wilder moods we can do little to calm its violence. We must fain take the attitude that science takes before one of the great forces of nature, not opposing it, but harnessing it to sail or engine or dynamo and curbing its power for evil as men direct into harmless channels the lightning from the skies. Pervading all humanity, it is the ultimate source of our social and political institutions and the things we do to control it and to direct it are the only ultimately effective things we can accomplish in popular government.

In the October issue of the NATIONAL MUNICIPAL REVIEW, there is an interesting history, by Mr. George R. Nutter, of the recent Boston charter. From this it appears that, during the administration of Mayor Fitzgerald, a finance commission of seven citizens disclosed such extravagance and waste that the mayor was defeated for re-election while the commission prepared with great care a new charter much in advance of those existing in other large cities, which when submitted to the people was adopted. But at the first election thereafter, Fitzgerald, the discredited mayor, was again elected and the only relief against his questionable appointments was found in the state civil service commission, which, being authorized by the charter, declined to confirm many of the men he nominated because they were not experts as the charter required. In other words, the chief redeeming feature of the new charter was the

interference of a state body in violation of the salutary principle of home rule for cities.

Now why was this? It was evidently because the state civil service commissioners stood for a higher standard of political duty than the mayor, elected by the citizens of Boston.

The halting and uncertain measure of the charter's success is due not so much to any defective provisions as to the defective character of the constituency. The author of this interesting article explains that the Boston electorate had been for some time "in an elementary condition in its conception of the requirements of municipal government" and that the citizens had no very clear standards on the subject. He attributes this very largely to the heterogeneous character of the population where there is not only the chasm between rich and poor and between different races but also much local feeling between different sections of the city, while the substantial business men live in the suburbs and can take no part in the government.

There are threatened attempts to repeal or weaken the charter by new legislation and Mr. Nutter concludes with the observation, "The only thing which will be beyond the powers of the legislature will be the spirit of the people. If this develops a certain and definite standard of public service as it now seems likely in course of time to develop, it will either prevent any change in the charter or may continue to live under any changes which the vicissitudes of politics may bring."

This Boston experiment illustrates extremely well the relation between the mere form of government of a city and that vital public opinion which is essential to permanent excellence and efficiency. A good form of government counts for a great deal and one of its most important features is to enable public opinion to make itself felt with greater ease.

But no form of government, however excellent, can of itself give a good city administration. That must always depend largely on the men who fill the places and these again depend, both as to their qualifications when chosen and their conduct afterwards, upon what is demanded of them by public opinion. It is the character of the citizens and not the framework or machinery of government which is the chief factor in determining the character of a municipality.

Public opinion, as I take it, represents the average of what men believe and how they feel upon a given subject within a given social unit. It is the result of the action and reaction of the thoughts, feelings, wishes, prejudices and determinations of individuals.

It is a controlling force in human society. "Custom," as Pindar says, "is king over all mortals and immortals," and custom is the creature as well as the expression of public opinion. It is often strongest in primitive communities, stronger, indeed, than the fear of suffering or of death. It compelled the young Indian brave to submit to voluntary

torture and to bear unflinchingly the most excruciating agony. It long induced the Hindoo widow to burn herself upon the body of her husband. It established the elaborate usages which constitute our common law. We imagine that our courts are less influenced by it than any other department of government and yet Dicey in his "Law and Public Opinion in England" shows that during the past century they reflected in their decisions the prevailing trend of popular conviction, of toryism from 1800 to 1830, of individualism from 1825 to 1870 and of collectivism from 1865 to 1900, and this, too, often in advance of the action of Parliament. No one can have followed the decisions of the Supreme Court of the United States without recognizing the large influence which the prevailing trend of public opinion has had (often, no doubt, unconsciously) upon its decisions especially in regard to the progressive interpretation of the Federal Constitution. The dogma that this instrument speaks with the same voice as when it was written has yielded to public necessity and public demand.

And frequently public opinion overrides the law itself. It not only changes legislation and modifies or overthrows the institutions of the past but at times it disregards, defeats and nullifies the existing provisions of our statutes.

Although some form of public opinion exists everywhere and at all times, it is by no means constant in its action. Sometimes it is dormant. Governments may continue for generations which are tolerated rather than approved. Sometimes it is suppressed by force and it may long be intense and bitter before it finally breaks forth into action, as under the old regime in France before the outbreak of the revolution. There have been very few periods in history in which it has been more prompt and effective than the present time, at least in those countries in which civil liberty exists, and nowhere is its control more complete than in America.

While many of its eddies and cross currents are difficult to follow, there are certain general tendencies of public opinion at the present time which are unmistakable. The extreme individualism which prevailed a generation ago has been giving way on this side of the water as well as in England to a collectivism involving larger powers in the state and municipality to be exercised for the common benefit, and the regulation of many things by government which we used to consider beyond its legitimate sphere.

What are the sources of public opinion? How is it propagated? It may grow spontaneously or it may be designedly created and stimulated. It may be disseminated by private conversation between neighbors in the home or on the street or at the village store; or by public speaking, in the lecture room, in the pulpit or on the hustings; it may be developed in clubs or in voluntary associations, many of which

have been organized (like anti-slavery societies or civil service reform leagues) for the express purpose of propagating it; it may be traced to discussions in caucus or convention or legislative body or it may be disseminated in party platforms or public resolutions; it may be propagated through the agency of the drama or by literature in songs or novels, in pamphlets, treatises and particularly by periodicals and newspapers. The press, indeed, is believed to be the most effective instrument for its dissemination. Under the "great editors" from Franklin to Greeley, our prominent newspapers were to a large extent the leaders of public thought. Emerson thus describes some of the achievements of the *London Times*. "It adopted a poor-law system, and almost alone lifted it through. When Lord Brougham was in power it decided against him and pulled him down. It declared war against Ireland and conquered it. It adopted the League against the Corn Laws, and, when Cobden had begun to despair, it announced his triumph. It has entered into each municipal, literary and social question, almost with a controlling voice."

At the present time, the power of the editorial columns of our daily newspapers has greatly diminished. Benjamin F. Butler was repeatedly elected governor of Massachusetts against the overwhelming opposition of the press of the state. On several occasions the Tammany candidates in New York City have been elected when almost the entire press of the metropolis was against them, and I can recall, in my own experience with a newspaper in a small city, occasions when the public caught like tinder some question I urged upon their consideration and other occasions when I would hammer away day after day on what seemed to me, an equally meritorious cause and apparently secure no result at all. It is often a tedious process, even under favorable conditions, for a new idea to percolate all the different strata of society and saturate the whole and when some of the soil is as impenetrable as clay, the task seems well nigh hopeless.

Public opinion is now influenced more by the facts contained in the news columns of the papers than by their editorials, and the editorials themselves are most effective when they present facts rather than mere arguments. The reader likes to do his own thinking. But even in the news columns the method of presenting the news and the failure to give both sides fairly and impartially may have just as powerful an effect as the best reasoned articles. Honest journalism is, therefore, of the utmost importance in the formation of a sound public opinion and the loss of influence which our newspapers have suffered may be due in great part to the fact that the public has less confidence than it used to have in their sincerity and impartiality. This is not confined to the mere party organ nor to the so-called "yellow press." In quite a different class of newspapers there is a feature which inspires mistrust. The public does not know who

is really in control. A large amount of capital is required for our great metropolitan papers and the men who own them are usually connected with other large interests. They are often stockholders and perhaps directors of railroads and banks and vast industrial concerns which are seriously affected by many public movements. The public insists that the newspaper shall advocate reform measures; the interests of the proprietors demand that certain special great enterprises shall remain undisturbed; hence, news is perverted and arguments are twisted so as to give the appearance of patriotism and public spirit without its real presence. It is the fact that these motives and interests are concealed which is the real source of evil. The public has little to fear from the advocacy of anything by persons whose purposes are well known, but the secret control of a paper by some unknown power or its use of news furnished by a news bureau, similarly controlled, may well corrupt that public opinion which lies at the foundation of all popular government.

For instance, there was a bureau which furnished arguments against municipal ownership of public utilities for the purpose of protecting and promoting the particular enterprises in which those connected with the bureau were interested. This bureau would pay newspapers advertising rates for articles to be published as news matter in violation of the first principle of journalistic ethics.

During the investigation of the great life insurance companies of New York some of the companies, through a "telegraphic news bureau," sent paid items in their own favor which were fraudulently published as impartial news.

The "Jennings News Bureau" in Ohio acted for the Standard Oil Company. John D. Archbold of that company furnished Senator Foraker with \$50,000 to buy the *Ohio State Journal*, an enterprise, however, which came to nought. The Standard Oil Company actually subsidized other publications directly.

When things like these come to the surface of the stream one wonders how many similar facts may lie concealed within its depths.

The large advertisers in our most important newspapers have often secured the suppression of injurious facts in regard to themselves or to institutions with which they are connected.

These abuses infect free government at its fountain head, and newspapers, which are themselves the instruments of publicity, ought to be required both by public opinion and by specific law to furnish not only the names of all who are responsible for what is contained in their columns, but also, if demanded, the business connections of their directors and managers. Moreover, the furnishing of news by interested parties without disclosing such interest should be prohibited and visited with appropriate penalties. Just as running water is purified by the air so public opinion and human character itself are purified by publicity.

It is not the mere number of individuals who hold to a certain opinion which alone determines its power and effectiveness. It is quite as much the intensity of their belief and feeling. The power of public opinion is like the force of a striking body which depends even more upon its velocity than upon its weight or mass. The number of abolitionists in the early days of anti-slavery agitation was small, yet the intensity of their zeal finally overcame all obstacles. At the time of the American revolution from the British crown, opinion in the colonies was at times pretty evenly divided so far as numbers went but the intensity of the feeling of those in favor of revolution carried the day. If public opinion be sufficiently general and sufficiently intense it will overcome every obstacle and its omnipotence will justify the saying that "the voice of the people is the voice of God."

It used to be said that democratic institutions were only adapted to small areas and communities of limited size. In the United States, however, we have found that the public opinion of the nation at large is more reliable than that of smaller sections. Wherever our whole people have had a chance to express a deliberate conviction extending over a considerable period of time, they have rarely gone wrong, while the temporary gusts of passion and prejudice in smaller communities have led to results that are often ridiculous.

While our government, therefore, ought to be finally amenable to public opinion, the expression of this opinion should not be unduly hastened and, on the other hand, even necessary reforms should not be prematurely foisted on a community not yet prepared to receive them.

Although public opinion in a general way may be said to control in the long run the political conduct of every representative government, yet it is sometimes ineffective because it is badly informed or on account of defects in the methods of representation. The people are often mistaken not only in regard to public questions but still more frequently in respect to the views, the intelligence and the character of the man selected to represent them. He may disappoint them by supporting measures they do not approve, especially as to questions which have arisen since his election. He may not have the ability to do the things they desire; he may be tricked into a false course; he may lack the determination to resist the pressure or influence of others, or he may betray his constituents in consideration of some advantage to himself. No constituency can always foresee what its representative will do, especially if he be a man hitherto untried. To remedy this defect it is proposed to recall the representative by popular vote if he fail to give satisfaction. The remedy is a cumbrous one, involving as it does a petition signed by a considerable proportion of the whole constituency and then an election. It is more practical in cities, however, than in larger units, such as states and provinces, and it has already been tried with more or less success in

various municipalities. One objection is that the liability to be recalled may well discourage men of independent views from running for office and may thus lower the character of the representative body though it will certainly make the representatives more amenable to public control.

The ignorance of the public regarding the candidates to be chosen is naturally greater when there is a large number of such candidates. The voter rarely knows anything about the qualifications of more than a very few and he is thus often driven into blind support of a complete party ticket. This evil has become very great in many places where the official ballot is of enormous size, sometimes containing scores or hundreds of names. Many offices are filled by popular elections which are not at all representative but purely administrative and should be filled by appointment. In this respect England and her colonies are much more fortunate than the United States. Here in Canada you vote for comparatively few persons and you have, therefore, better means of knowing the qualifications of your representatives. The short ballot, as we call it, is the appropriate remedy for this defect.

In order to supplement the very incomplete knowledge which constituents usually have of the men they vote for, associations are formed under the names of "Voters' Leagues," "Civic Leagues" or what not, to make an investigation of the records of the different candidates, the results of which are published in the daily press or in pamphlets or posters circulated shortly before the election. These have been found very useful in large cities like Chicago, where they often constitute the only source of information of large numbers of voters. If these voters' leagues are composed of patriotic and disinterested men, skillful in making inquiries, they are of immense service. They might, however, be positively injurious if interested influences should garble the reports. This has not been the general experience up to the present time and the public confidence in the high reputation of the men in charge of these leagues has hitherto been a sufficient guarantee of the trustworthiness of these reports.

But even if a constituency were perfectly informed as to its candidates it would still sometimes happen that very many persons in that constituency, perhaps a majority, would not get the man they wanted. They might have merely a choice between objectionable candidates forced upon them by party conventions controlled by intrigue or corruption.

To remedy the evils of such conventions direct primary laws providing for popular elections for the nomination of candidates have been enacted and the system is rapidly spreading. Undoubtedly a primary election gives the body of the voters a better chance to get the man or men they want than a delegate convention. Yet here, as well as at the final election, misrepresentation frequently results from the fact that candidates are commonly selected by a mere plurality vote, and thus it often hap-

pens that where there are several candidates, one who is unpalatable to a majority of the constituency is selected. A candidate ought to be chosen by a majority and not by a mere plurality. This is done in Germany by holding two elections, the second election being between the two highest candidates. But the need of a double election can be obviated by a preferential ballot in which a voter may name his first choice, second choice, third choice and so on and if there be no majority among the first choice votes then the second choice votes are added and then the third choice, etc., until a majority be reached. Thus a candidate really objectionable to the greater number of the voters could not be chosen. This has been developed scientifically with great accuracy where the votes can all be assembled in one place as they can be in the ordinary city election. It is perhaps not necessary, however, to attain extreme accuracy. For practical purposes the same result will, in most cases, be secured by the simpler plan of casting the second choice votes for the two highest candidates of the first choice, etc. The preferential ballot in one or another of its forms has been adopted in several cities in the United States.

Representation in city councils or other legislative bodies being generally by wards or districts, it often occurs that a majority of close districts may favor persons or policies opposed to the wishes of a majority of the entire community and misrepresentation follows. This result is sometimes accentuated by the gerrymander where districts are formed by the action of a party or faction for the express purpose of perpetuating its power even against the popular will. If, on the other hand, a council or legislative body is chosen by a mere majority vote of the people at large, one party or faction will have the unanimous voice in the council and there will be no minority representation to watch abuses or check the will of those in power. These evils can be remedied, as they have been in Switzerland, Belgium, Finland, Denmark, Tasmania and parts of Australia and South Africa by a system of proportional representation. This system seems particularly well adapted to municipalities where the division of a representative body into small and independent groups to which it may lead is less undesirable than in state, provincial or national affairs.

Another defect in representation results from the nature of representative government itself. Every candidate represents a certain aggregate of views upon various subjects. Many of the voters agree with him on some of these and differ from him on others. They must, therefore, support a man who will misrepresent them on certain questions, and the aggregate may often involve a misrepresentation of the opinion of a majority of the whole constituency upon these particular questions.

The only remedy for this defect would seem to be direct legislation by the body of the people—the initiative, to compel the enactment of laws

which the people want but which the representative body fails to pass, and the referendum to defeat laws that the legislative body actually enacts but which are not desired by the community.

To secure the action of the whole electorate by means of a popular vote involves much labor and expense and should only be undertaken where the questions involved are important and a substantial proportion of the voters petition to have them submitted. The initiative and referendum, however, can be more conveniently applied in city governments than in those of states or provinces because the electorate is smaller and more compact. These measures would, therefore, seem to furnish a suitable stimulus to legislation which the voters desire and a wholesome restraint upon legislation to which they are opposed and are, perhaps, even more valuable by their indirect control of the legislative body than by their direct action in the making or prevention of particular laws.

But even if our machinery for putting into effect the popular will were perfect; even if our city governments were to do exactly what the people desired them to do; yet if the citizens should not desire the best things, the government might still be a poor one. It is only partly true that inefficient government is due rather to badness of methods than to badness of men. The illustration given by Boston shows us that even after bad methods have been largely eliminated and the machinery has been very greatly improved the results are still unsatisfactory, while if this improvement were made in the civic character of the people a commensurate improvement in government would be sure to follow. I believe the excellence of the German cities is not due so much to the fact that the form of government there is better than elsewhere as, to the fact that the Germans, by their thorough education, their habits of orderly obedience developed by their military training and by their experience in self government under a system of municipal home rule established by Von Stein a hundred years ago, now form bodies of citizens that are perhaps without equal anywhere else in the world for the performance of the duties of municipal government. It has been a slow growth with them and it will be a slow growth with many of the communities in the United States, which are now so far behind, a growth in the development of a strong and wholesome public sentiment.

How shall we develop that sort of public opinion? I have no specific or nostrum to offer for making people good. The churches have been working for nearly two thousand years along this line and yet their efforts have not been crowned with very complete success. How can we hope to do much in a decade or in a generation? There are, indeed, a few evils of government which we can lessen or eliminate by removing the temptation to commit them. The evil of coercing or buying votes can be greatly diminished by the Australian system so far as that system

really provides a secret ballot; the evil of distributing public places as spoils can be in great measure corrected by the competitive system which eliminates the possibility of using such places for personal or party purposes. But these are exceptional instances and the mere removal of temptation does not of itself strengthen human character.

The development of a sound public opinion must depend largely upon education and training, especially in those things which develop civic virtue. To do this work thoroughly it should begin at the kindergarten and greater emphasis should be placed on character building in the things which make a child an honest, truth-telling, courageous, public-spirited and self-denying man and citizen, than upon other branches of instruction. He must have command over his own spirit and the will to do things he dislikes to do if he would perform properly, in maturer years, those public duties which often demand the greatest self denial and self control. This kind of education must continue through every grade, through the common school, the high school, the college, and the university. Wholesome results will follow, though they may not appear until the new generation takes the field. Indeed, I suspect that the influence of our universities on public opinion to-day is far greater than appears on the surface, although that influence may not be manifest for a decade or a score of years after it has been exerted. Let us do all we can to see that this sort of education is conducted with German thoroughness. Let the curriculum embrace more and more (as, indeed, it is doing to-day) those things which fit the student for civic duties. And let us endeavor to create, not only in the young but in all our fellow citizens a lofty ideal for the community of which they form a part. While we consider carefully all matters of material advantage—broad clean streets, wholesome food and water, perfect drainage, careful health protection, adequate housing, good education, beautiful parks, harbors, boulevards and public buildings as well as the development of industry and acquisition of wealth, let us consider these things not for themselves alone but as the expression of a loftier soul and a nobler purpose in the whole body of the commonwealth in caring for the common welfare. Let us realize that after all it is the spirit of a city and not its mere flesh and blood which constitutes its chief excellence.

What makes a city great? Huge piles of stone
Heaped heavenward? Vast multitudes who dwell
Within wide circling walls? Palace and throne
And riches past the count of man to tell,
And wide domain? Nay, these the empty husk!
True honor dwells where noble deeds are done
And great men rise whose names athwart the dusk
Of misty centuries gleam like the sun!

In Athens, Sparta, Florence, 'twas the soul
That was the city's bright immortal part,
The splendor of the spirit was their goal
Their jewel the unconquerable heart!
So may the city that we love be great,
Till every stone shall be articulate.

THE OREGON SYSTEM AT WORK

BY RICHARD W. MONTAGUE¹

Portland, Oregon

IT IS the purpose of this paper to report some facts about the operation of the "Oregon System" in Oregon. Limitations of space make it impossible to relate all the relevant facts; the limitations of the writer make it impossible to select perfectly typical facts, to give them without color or bias, to exclude opinion. Certain pronounced opinions are, indeed, the efficient cause of this writing; nevertheless I will endeavor to extenuate nothing nor set down aught in malice, and to put the matter in such a way that anyone who is of a different mind may easily winnow the grain of his fact from the chaff of my opinion.

We have in Oregon not only (a) the initiative and referendum, as to state and municipal legislation, but (b) the direct primary, applying to state and municipal officers and as well to United States senators and presidential electors; (c) the recall against elective officers; (d) constitutional authority for proportional representation and the preferential ballot (the latter employed in our chief city); and (e) woman's suffrage. All these are sometimes included in a loose use of the term "Oregon System," which, indeed, has no precise meaning. Direct legislation, however, is the fruitful source, the *fons et origo* of all of them. As Senator Root has pointed out, it is the one institution of them all (except perhaps the recall) which is essentially an innovation, and as the most important and significant of our new experiments in government it deserves most of our attention.

Direct legislation has been exercised in Oregon since the adoption of the constitutional amendment authorizing it, in 1902, and more extensively, it is said, than in any other American state. The period is too short for anything like final or conclusive deductions; but not too short to furnish a preliminary test from observed results, which is more convincing and satisfactory than any from *a priori* theories, however well established. Let us see then what we can find out about how the initiative and referendum do work, in the place where they are most used.²

¹ Mr. Montague, who is a well known member of the Portland bar, has had a wider experience in the work of charter revision than any other person in the city, having been a member of commissions appointed in 1901, 1908, 1911 and 1913, to draft charter for the city. The charter adopted by the people of the city in April, 1913, was the work of the last named commission. He has been active in other branches of public affairs.

² Note.—As everyone now knows these two forms of direct legislation consist simply in the submission of a proposed law to the electors for their approval or disapproval. In the case of the referendum, the law is one already passed, usually by the legislature, sometimes by a constitutional convention,—and its taking effect is stayed pending the

One hundred and eight measures have been submitted to and passed upon by the electorate of Oregon since 1902. A detailed analysis of these measures and the votes on them would certainly furnish an instructive study in self government. Even the bare enumeration, which is about all that will be undertaken here, ought to throw some light upon—

1. The soundness and wisdom of the popular decisions on these measures.

2. The character and quality of the legislation thus enacted, not only as to its subjects, but as to its form and effectiveness.

3. The reaction upon the voters; whether the voting has tended to increase intelligent interest in public questions and the capacity for good citizenship.

4. The effect of popular legislation upon the work of representative legislators.

For the purpose of our survey I have divided these 108 measures into three classes, (A) political, or those chiefly concerned with the frame of government and its officers; (B) acts relating to taxation and appropriation or otherwise of an economic cast; and (C) acts primarily contemplating social and industrial regulation. The classification is merely for convenience and no inferences are based upon it.³

A. POLITICAL MEASURES

1. *Those Which Passed.* The measures called political, number forty-nine, of which twenty passed and twenty-nine failed. Some eleven of the successful acts may be regarded as integral parts of the "system." These, besides the original initiative and referendum amendment (1), are the direct primary law for state and municipal officers (3), an amendment prohibiting the adoption of constitutional amendments without submission to the people (9), two amendments giving the cities and towns

vote. In the case of the initiative, the law is one offered by private persons and the vote is the first determination upon it. In both cases the law is placed on the ballot on petition of a certain number of electors, in Oregon not less than 8 per cent for the initiative nor 5 for the referendum. Laws may also be referred by the legislature which passes them. In that case they go on the ballot without a petition, but are voted on in the same way as the others. There are material differences in the degree of disfavor with which the two are regarded by their critics, but they have coexisted in Oregon from the beginning, and I can perceive no difference in the treatment accorded by the voters to submissions of the two sorts. R. W. M.

³ Note.—Tables appended give the several measures under brief titles intended to express their central purpose, the total vote on each measure and the majority for or against it, and for comparison, some figures relating to the votes cast for officers at the same election. A like table is added for the votes upon measures in the city of Portland, to which only brief reference will be made in the text. Both are brought down to include the elections of 1913 barring a special election in the city in December.

The numbers in parenthesis in the following paragraphs refer to the numbers by which the respective measures are designated in these tables.

exclusive power to make their own charters and extending the right of direct legislation to municipal corporations generally (10 and 12), the recall amendment (28), an act (designed chiefly to express the "sense of the meeting") instructing legislators to elect for United States senator the candidate receiving the highest popular vote (29), the amendment authorizing proportional representation and the preferential ballot (30), the corrupt practices act (31), the law for presidential primaries (63), and perhaps the final adoption of woman's suffrage (67). With three exceptions, to be noted, these are all corollaries of the original purpose of increasing the direct control of the voters over their government—of making democracy more immediate. They are, therefore, bound up with the system, and to draw any conclusions as to the wisdom or unwisdom of popular legislation from their adoption would beg the question.

The three adverted to which are not quite clearly of this description are the corrupt practices act, proportional and preferential voting, and woman's suffrage. Of the first it is to be said that legislation limiting campaign expenditures by candidates and requiring a rigid accounting is approved by almost all thoughtful men nowadays. Proportional and preferential voting are interesting attempts to correct defects in the plurality system, which bring about glaring inequalities, and there is a good deal of high authority in their favor. It is true, I think, of the "people's law" generally that it tends to follow the conclusions of writers and students more willingly than the opinion of the practical politician, to savor rather of the college than of the caucus. The adoption of woman's suffrage after many defeats appears to have been due to the general ground swell of democratic feeling, and (in Oregon at least) to be "manifest destiny."

The other measures which were passed include two (4 and 11) designed to retrieve an early and unfortunate constitutional provision which intrenched the state printer's office beyond control of the legislature over its emoluments (which in the course of time had become grossly excessive); another permitting state institutions to be located elsewhere than at the capital on a favorable vote of the people of the whole state (17), which is a pretty good compromise between the loss of convenience and advantage arising from the inability to place any of them in desirable situations elsewhere, on the one hand, and the vicious logrolling which results when the legislature has the power to make distribution of such "plums," on the other. It had outcome in a subsequent act (36) locating a branch insane asylum in a part of the state where expert opinion held it should be placed on climatic and other valid medical reasons. A law changing the date of the general election from June to November (19) was a measure of convenience on which the voters might naturally be supposed to know their own advantage best. One giving custody of the county prisoners to the sheriff rather than to the county court (20)

settled a minor matter of county policy in a way which appears to the writer to have been a mistake, although there was a good deal to be said for it. A law proposed and passed under the initiative taking the power of indictment away from the district attorney, where the legislature had lodged it some years before, and restoring it exclusively to the grand jury (33) was in accordance with the best legal opinion in the state, conservative as well as other, and the favorable vote on it was thought to show a sound popular instinct. Finally, an extensive revision of the outgrown and archaic judiciary article of the state constitution (66) made it possible to enlarge and reorganize the supreme court, which had become necessary. The measure contained other provisions, such as the power to find a verdict in civil cases by three fourths of the jury; authority to the district attorney to amend an indictment held defective in mere matters of form; authority in the supreme court to affirm a judgment, notwithstanding technical errors, when it is of opinion on the whole record that the judgment of the court below was such as should have been rendered, and to render its own judgment in certain cases where it had previously been obliged to remand the case to the court below for a new trial though the proper judgment was plain. The amendment has been severely criticised on other grounds, chiefly that declaring the verdict of a jury conclusive, but the provisions first cited go far to recommend it in the minds of those who believe that reform in legal procedure is really desirable. An act substituting county for district attorneys (107) was approved on referendum in November, 1913, at an election called by the legislature for the express purpose of considering acts of the session of that year which should be referred. Except for the district attorneys, whose powers were curtailed by it, the consensus of instructed opinion appeared to favor this act.

2. *Those Defeated.* Of the measures of this sort defeated, woman's suffrage on its hard way to final success accounts for three (6, 24, 35); two (16, 42) are for increase of pay of officers, the invariable defeat of which will be commented on later. Three, of which one (18) was for increasing the number of judges of the supreme court, one creating the rather desirable office of lieutenant governor (68), and one the absurd position of hotel inspector (81), ran foul of a similar popular dislike of increasing the number of offices. The necessary increase of the supreme bench was, however, given later by the judiciary amendment previously mentioned. The defeat of two acts (72, 77) requiring a majority of all the votes cast at the election (instead of a majority of those cast on the particular measure) to carry respectively constitutional amendments and initiative laws, and of an act calling a constitutional convention (37), which was generally believed to mask an attack on the initiative and referendum, bespeak the strong popular attachment to the institution in its present form. Two acts, providing for the creation of new counties

and consolidation of cities, etc., by general law (61, 90), suffered the same defeat which had been meted out to nine separate measures creating new counties or changing the boundaries of old ones (43, 45, 46, 47, 51, 54, 60, 75). The defeat of these last was apparently on the ground that they made an unnecessary increase in the officary, though their sponsors stoutly insisted the contrary. One such act (34), where the propriety and convenience of the new county (comprising the celebrated Hood River Valley) was generally recognized, had previously passed by the popular vote, though forces had always been gathered to defeat it in the legislature. Some general law for the creation and division of counties is at least theoretically desirable, but it is difficult to say that the objections against the particular drafts offered were not well taken. Another law which failed sought to anticipate the time fixed by the legislature for reform of the state printer's office (80), and was suspected of having a pretty strong personal animus. The voters had declared emphatically in favor of the reform, but objected to having it visited as a punishment on the incumbent for the time being. The proposed abolition of capital punishment (99) failed, notwithstanding an earnest campaign in its behalf by persons high in popular esteem, including the governor of the state. Something of Hebrew wrath still inheres in the public conception of punishment.

There remains a group of measures (38, 64, 65, 97) offered at three different elections, mostly initiated and advocated by the People's Power League, of which Mr. U'Ren, the protagonist of the "system," is the moving spirit. These measures proposed modifications of the state government of varying extent and degree, from a mere redistricting of the legislature to a complete new form of public administration, somewhat on the English Cabinet plan, though with some features which seemed entirely novel. It might have been—in fact was—thought that the eagerness of the people for a change and the authority of Mr. U'Ren and his associates would be enough to carry these measures. Opponents of the "system" were fond of saying that "the legislature of Oregon was now under Mr. U'Ren's hat." They still repeat the saying, but the defeat of these and others of his favorite measures gives it a rather hollow sound.

B. ECONOMIC MEASURES

1. *Taxation.* Turning to the acts classified as economic, some fourteen deal with taxation. The levy of a gross income tax on such corporations as sleeping car, oil, express and telephone companies (14, 15) and the passage of a constitutional amendment authorizing an income tax (91) are what might naturally be expected of a plebiscite. Oddly enough, however, the last was defeated, though by the narrowest of majorities.

The most notable feature of the legislation on this subject has been the single tax fight, which has been waged very earnestly since 1908. In that year an amendment to provide the single tax under the rather tempting title of "An act to exempt improvements, tools, livestock, and furniture from taxation" (27) failed to pass. In 1910 an act did carry which gave to counties the power to adopt single tax methods of assessment (48). Encouraged by this partial victory the single taxers gathered all their forces for a final attack on the citadel of conservatism in 1912, when a bill for statewide single tax (98) was initiated and most vigorously advocated. Mr. U'Ren brought to it all the strength of his gentle, but indomitable personality. Most of the other ardent radicals and reformers of the state rallied to its support. The campaign was adequately financed from the Fels fund, and fairly held the center of the stage. The other side did not lack funds or speakers, though to some quite impartial observers it seemed that their case was much less ably presented. The result was a crushing defeat for the measure, 82,015 against to 31,534 for. The act giving counties the option to adopt the single tax was repealed in the same year (71). More moderate tax reformers also met defeat at these elections when bills abolishing the "equal and uniform" taxation clause (39), providing for different rates on different classes of property (41, 70), divorce of local and state taxation (69), and exemption of moneys and credits (93) failed to pass, as did also a proposed revision of the inheritance tax laws (94). Several of these measures had been prepared by the state tax commission in the hope of finding some escape from the hampering limitations and ineffectiveness of the general property tax in the mold which judicial decisions have cast for it. But the economists of the ballot box had not grown up to them, and we still wear our strait jacket. An exemption of a moderate amount on household goods (92) did pass.

2. *University Appropriations.* Of the other economic measures, the most important are the referendums on the appropriations for the state university, which the legislature after many years of parsimony had just begun to make liberal. The first referendum (5) in 1906 was an unsuccessful effort to defeat the entire appropriation. In 1908 an act increasing the annual appropriation (23) was carried, though the majority was not large. In 1912 the issue was made on the ground that the two state institutions, the university and the agricultural college, ought to be consolidated, and that no permanent improvements should be made until they were. Referendums were brought on two acts (102, 103) making appropriations for permanent improvements, and for enlargements of the work of the school, leaving unaffected the regular annual appropriation which had been approved in 1908 (23 above). These two acts, together with an initiative measure (76) intended as an alternative, by way of compromise, were defeated and the enlarged appropriation failed. But

the supporters of the university still believed that the question had not been fairly tried out, and the legislature in 1913 again provided for extensive permanent improvements for the institution, with the knowledge that referendums would be called upon them, and made express provision for an election in November, 1913, to pass upon the matter. The referendum petitions were filed and after a very spirited and thorough campaign the two appropriations carried (104, 105). The result of the long agitation is believed to have intrenched the university impreguably in the public esteem and to have opened the way for its future expansion and success.

3. *Generally.* The voters have declined such opportunities as have been offered them for public ownership; namely, of a toll-road (8), and a railroad to be built into what was then said to be the largest unoccupied territory in the United States, since invaded by two railroads (40). They also refused to approve a state appropriation to build armories (22), the labor unions, no doubt, contributing to its defeat, and selected only one out of three struggling state normal schools for permanent support (44, 53, 55). The other measures in this category are a hopeless tangle of "good roads" legislation (62, 78, 79, 86, 87, 88, 89, 96), the result of a great deal of agitation by the different interests, roughly classified as the grange and the users of automobiles. Out of the welter there emerged a constitutional amendment which gave the legislature mandate for the passage of a consistent and workable scheme for highway improvement, and this was accomplished at the next session. It is worthy of remark that the successful measures rather purported to limit than enlarge the powers of borrowing money by state or minor subdivision. Whatever else is to be said about the soundness of votes of the people on matters of public expenditure they bring to naught the prophecy that the "rabble" would seize upon every chance to vote away the taxpayers' money. The direct contrary is true—the propriety of every expenditure voted on must be proved up to the hilt, and even when it is, want of confidence in the agents who have the spending of the money is liable to be fatal.

C. SOCIAL AND INDUSTRIAL REGULATIONS

1. *Intoxicating Liquors.* Some measures in the class of social and industrial regulation complete our catalog. The first fruit of the initiative was a stringent local option liquor law (2). An amendment frankly seeking to put the liquor sellers on something like equal terms with their opponents (7) failed at the next election. Again the liquor element attempted, this time by a very craftily prepared and plausibly entitled measure (26), to get a little more liberty, but the riddle of the title was readily solved and the bill went the way of its predecessor. A modification giving some degree of control of the traffic by cities and towns, subject to the local law (49), did pass, however. Then the prohibitionists,

encouraged by the emphatic expressions of the popular desire to limit the traffic and by the extensive adoption of local prohibition in various districts throughout the states, offered two measures for statewide prohibition (56, 57), only to meet with defeat as decisive as the victory for local option. The total result, I apprehend, is not materially other than if the National Municipal League or any other body of sane and moderate reformers had been casting the vote. A bill prohibiting the acceptance of railroad passes by state officers (13) carried, and an absurd proposal to require railroads to pass free all officers traveling on state business (21) failed.

2. *Protection of Salmon.* In 1908 were submitted the bills for the regulation of the salmon industry (25, 32), which have served every writer opposed to popular legislation for his dreadful example. The majority which is so roundly denounced by these critics as ignorant and stupid included the writer and most of the thoughtful men of his acquaintance. Whether we or our critics are most foolish the reader must judge. Here are the facts: Salmon fishing in Oregon is a business of great economic importance. The fishers and canners are divided into two hostile camps, the down-stream gill-netters and seiners, and the up-river wheel fishers. Between them they were rapidly and surely exterminating the fish, but each mustered force enough in the legislature every session to block any effective regulation of its form of destruction. At length it became evident that something must be done or the industry would go to ruin. In this juncture each camp betook itself to the initiative and presented a bill relegating the other's style of fishing out of existence.

"How are you going to vote on these salmon bills?" said a shrewd friend of mine (a conservative of the straitest sect, by the way), discussing the pending bills before the election, as we are wont to do.

"Why, 'No' on both; they would stop the business entirely."

"Wrong, as usual," he said, "the boys are going to pass 'em both and see if we can't bring these gentlemen to their milk."

Accordingly the boys wrote on their ballots "a plague o' both your houses" by a handsome majority, and at the ensuing session of the legislature a meek and chastened salmon lobby welcomed a bill conforming to the recommendations of the state conservation commission, which at last afforded a little real protection to a noble fish and a failing industry. I submit that a little more of this kind of ignorance and stupidity earlier applied would have been better than the wisdom of the captains of industry.

3. *Various Regulations.* Other acts of this class which passed are an employer's liability law (50), designed to diminish the frightful toll of life and limb exacted by modern industry when uncontrolled, a law imposing double liability on bank stockholders (73), a law for statewide regulation of public utilities (74), one limiting the hours of labor on pub-

lic works to eight (82), and two laws prohibiting the exploitation of the work of convicts by private contractors and providing for their employment on public roads (84, 45). At the 1913 election a carefully drafted workmen's compensation act (108), prepared by a committee containing representatives of employers and laborers as well as of the public, was referred and passed by a very large majority. A statute (58) creating a commission to draft such a law had been defeated previously, probably because the commission was not considered to be fairly representative of the laboring element. The whole series looks very much like the program of a club of social reformers. Laws which have less to recommend them than these are one prohibiting commercial fishing in a river of southern Oregon (59), and one attempting to regulate freight rates, since held unconstitutional by the courts (95). A "Blue Sky" law, attempting to regulate the sale of securities by corporations (83), also failed for reasons which are not readily apparent, though the unsatisfactory working of a law of the same sort afterwards passed by the legislature may excuse it. The defeat of measures prohibiting boycotting (100) and giving to the mayors of towns control of public speaking in the street would be (101) approved or not according to the standpoint of the observer. They show at any rate that the general public inclines to the English method of letting anyone talk anywhere, anytime. At the 1913 election a bill providing for the "sterilization" of habitual criminals, moral degenerates, and sexual perverts (106) was defeated. It was opposed by the officers of the state board of health, and there was a general feeling that the subject was not yet ripe for positive enactments.

DIRECT LEGISLATION IN THE CITY OF PORTLAND

Concerning the 129 measures passed upon by the voters of the city of Portland since their first exercise of the right of direct legislation in 1905, only a few general observations can be made. The votes show by a painful wealth of example that the voters approve of pitifully inadequate salaries for their public officers. It must be confessed, however, that they have not been put to the touch in the case of any really commanding personality, and they may merely have been of the mind of Huck Finn about the minister who he said "preached for nothing and he guessed it was worth it." Moreover, they did approve, by a narrow majority, a city charter which bestowed upon the mayor and commissioners the highest salaries ever paid by any local government in the state. It further appears that they are not avid of municipal ownership, but scan keenly the propositions of that sort submitted to them; that they still believe in competition in public utilities; that they are exceeding cautious in the appropriation of public funds, especially when their confidence in the administration which has to do the spending is not complete. Yet they have approved of considerable expenditures for public docks and

bridges, sometimes for parks, for garbage-destroying plants; and for a public auditorium. They showed admirable sobriety and restraint in refusing—notwithstanding a good deal of provocation—to vote for the forfeiture of two street franchises held by not excessively popular corporations, and they threaded their way through a mass of complicated charter amendments at various times with sense and discretion. The Taxpayers League of Portland, an association of large taxpayers, has for years made recommendations to their members after investigations by their committees concerning the measures to be voted on. The league is dominated by men who though rich are intelligent and progressive, and touched with a feeling for the public rights and public service. It certainly is a high tribute, both to their wisdom and that of the common people, that in fully 75 per cent of the cases their recommendations have agreed with the popular decision. Many of the differences have been in cases of expenditure which they approved and the electors did not.

THE COMPOSITE VOTER

The composite voter whose mind and purpose are portrayed by these votes appears to be one jealous of his own rights and privileges, as most men are; resolute to see his government actually, as well as theoretically, deriving its just powers from the consent of the governed, and to see politics clean and fair; desirous of improvement of his institutions; open to thoughtful advice, and mindful of well reasoned opinion as to the means of betterment, but averse to visionary innovations; reluctant to create new offices, and stingy with salaries to public officers, but yielding that point occasionally when involved with some higher good; nearly abreast of the best thought of the time in matters of social and industrial regulation, but lagging behind, and a bit muddled, in economics; and, until he reads the title clear of would-be spenders of the public money, saving with it to a fault.

CHARACTER OF LEGISLATION ENACTED

So much for the wisdom of the voters' decisions on questions put before them. It is certainly true that some of these measures ought not to have been brought up at all; that fanatics and self-seekers sometimes get their schemes before the people and cumber the ballot with them. This is not a phenomenon previously unknown in the history of legislation, as some comments assume. The trouble is in a fair way to remedy itself. The increasing reluctance of thoughtful voters to sign petitions and the very uncertain reward for the labor and expense necessary to get a bill on the ballot operate as a pretty strong deterrent, and, furthermore, nothing so perfectly "squashes" foolish agitation as a huge majority against its plans at the polls.

A consideration of the subjects of the measures submitted to the people

in Oregon tends, I think, to disprove Senator Root's argument against the initiative and referendum, that the true difficulty of wise legislation is not to determine what ought to be accomplished but to determine how to accomplish it. Decidedly the majority of the contests over those measures have been on the very question as to what ought to be accomplished; for the purpose of determining what broad policy of legislation the state shall be committed to, not what methods are efficacious; and most of the decisions have been in one way or another significant for future law-making.

The quality of the bills passed is a matter upon which it is impossible to adduce within reasonable limits any evidence other than individual judgment. This shall be my apology for offering my personal opinion, based upon an examination of all the general laws of Oregon in force in 1910, in pursuance of the duty of compiling the official publication of the statutes, made under public authority in that year, that in all that pertains to the technique of draftsmanship, legislation passed under the initiative is markedly superior to the average of the statutes passed by the legislature. This superiority is not inherent, of course, but results naturally from the fact that these laws have mostly been drafted by a rather large committee of persons having a lively interest in the matter in hand and some practical knowledge of it, besides what knowledge they may have of the general requirements of legislation; and that the framers were aware that their measure once launched must go as it is, for better or worse.

The technical part of a legislator's work—the mere framing of a law in such a way that it may possibly accomplish what it is intended to do—is done with such incredible badness in at least one American state that anything which promises improvement in it ought to be hailed with glad acclaim. I have heard more than one member of the legislature declare, as the press and tumult of the session began to distract him, that he believed the initiative method with its prolonged and searching discussions during the campaign before the voters was a better way to make laws than that which he was attempting to practice.

EFFECT UPON THE VOTERS

The question of how the practice of direct legislation affects the voter is perhaps the most important of any we have to consider. Clearly the voters of Oregon take a considerable interest in the exercise of the franchise, which is increasing as the importance of their determinations becomes manifest. For some time before an election discussion of measures to be voted on is rife on the street, in conversation among friends, everywhere. It is part of the regular program in grange halls and labor union councils, and to some extent in clubs and associations of every sort. The newspapers are full of it. The pamphlets published by the state

and distributed to every voter, wherein arguments pro and con are set forth, are seen almost like autumn leaves in Vallombrosa. The discussion even invades those circles where the "tired business man" myth, and the indifference of the ordinary successful American to everything but putting money in his purse and spending it, combine against it. The causes which have made the ordinary routine of election meetings and speeches mere sound and fury, signifying nothing, have not thus far prevailed against it. I have been present at a noon meeting of a club where a hundred or two men came and listened closely to a speaker who had been invited to discuss the bills to be voted on, and the same week have attended a political meeting where the same man (who happened to be a candidate for the legislature) appeared to present his candidacy at a regular party meeting, pretty well advertised, and was greeted by an audience of less than a dozen all told, including the other candidates and the faithful camp followers. The incident is not unusual, but ordinary and typical. It is not that more people vote upon the measures than upon the candidates—they do not, as the tables show—nor that more are interested in them; but advocacy of the multifarious candidates, who appear at every election seeking the suffrages of the voters, has become so discharged of any genuine sincerity or reality that no one cares to hear it, while the talk about pending measures is apt to be earnest, candid, and well informed.

As a matter of fact it is much easier and requires much less knowledge and acumen to determine whether a proposed measure is what one wants to vote for than to make an equally well advised decision about a candidate. It is easier to tell whether the general purpose and intent of a measure is acceptable or not, and a month or two of hostile criticism—the only true test—is pretty likely to disclose any serious defects in detail. On the other hand the public is notoriously subject to be deceived as to the genuineness of a man's professions. What a man really represents is known only to him and his Maker, and his future conduct in detail under new and untried conditions is past finding out.

The arguments resorted to are of all sorts, some on high grounds, in good temper and forcibly put, some spiteful, silly, dishonest; very likely all of them have effect with somebody. If good arguments cannot on a fair trial prevail over bad, then government by discussion is hopeless and civilization in imminent peril. The educative effect of the discussion of a matter of public interest, generally participated in, with audience for everybody who has anything to say and with everybody who cares to think about it having a voice in the result, followed by a sound decision, simply cannot be exaggerated. It removes the ultimate ground of complaint from the mouth of discontent and brings the responsibility for the state of law home to the will and intelligence of every voter.

The number of ballots cast on any one measure is usually less than the

total vote cast for the candidates for the office in which the voters are most interested at the same election. The average, state and city, is 85 per cent of the average vote for officers. It has been suggested that this, at worst, results only in a kind of natural selection of the intelligent and interested—an oligarchy of the thoughtful, which some believe to be the goal of politics. A spirited discussion was carried on at the time of the last charter campaign in Portland as to the duty of voters in respect of the measures upon which they were not informed. The weight of opinion inclined to the view that as to measures of the proper sort to be submitted the unformed elector should abstain from voting. No practical bad results from the deficiency of the vote on measures have been pointed out, though the possibilities imagined have been many and dire. This problem is merely a phase of the much larger one of the want of intelligent interest in politics, and will have to abide the solution of that for its settlement.

EFFECT OF DIRECT UPON REPRESENTATIVE LEGISLATION

The effect of direct upon representative legislation, it would be presumptuous to appraise. It is certain that some excellent laws passed by the legislature in the last few years have been prepared in the same way and to some extent by the same elements as the initiative measures and presented to the legislature with the distinct understanding that if they were not acted upon by it they would be presented to the voters under the initiative. It is also pretty clear that since the referendum loomed in the background legislation has been more responsive to the public will, but it is most emphatically true that no sober person thinks that the legislature will be superseded or its functions seriously curtailed by direct legislation. While 108 measures have been submitted to the people and about 49 passed, the legislature has considered 4,439 bills and passed not less than 1,624, and the number is constantly increasing. These figures ought to lay that ghost without any further incantations.

THE DIRECT PRIMARY

The direct primary law, as we have it, embodies a simple and innocent seeming device which brought about the direct election of United States senators in Oregon without any appeal to federal legislation. This device was merely a statutory permission to the candidate for the legislature to make on the ballot a statement (Statement No. 1) to the effect that he would, if elected, cast his vote for the candidate for United States senator having the largest popular vote; provision for taking that vote at the primaries being duly made. The candidate also had express permission to say that he would not be bound by the popular vote, and implied permission to say nothing at all. The leaders of the majority party viewed this plan with contemptuous amusement, which gradually

changed to wrath when they discovered in the course of a few elections that every insurgent candidate "took the statement" and most of them were thereupon elected, and that presently the regular candidates had to "take the statement" or face almost certain defeat. Later a candidate for United States senator, a nominee of the minority party, received a popular majority over the candidate favored by the majority of the legislature, which was pledged to carry out the people's decision. When the party leaders found that the men who had solemnly taken a public pledge to do a specific and particular thing could hardly be induced to brand themselves as liars by not doing it, and when they had to stand by and witness the heartrending spectacle of a legislature of one political name electing a United States senator of another, for no better reason than that the people of the state had so voted, their cup of bitterness overflowed and the air was filled with lamentations.

But passing by these notable accomplishments and some other curious and unexpected workings of our direct primary the candid observer must admit that in the main it has not given a good account of itself. The critical question about a system of nominating candidates is what kind of nominations does it produce, and herein the direct primary in Oregon has not registered anything like success. The larger and more important nominations have usually been pretty much the same as the old conventions would have made. For the less important and less sought offices the nominations have often been bad, sometimes intolerably bad; sometimes worse, I think, than any convention that ever sat in Oregon would have suffered. Good nominations are often made by the direct primary of course, but it is very hard to maintain in the face of the facts that they are on the whole better or occur oftener, or that the method has proved an effective way of securing good candidates.

THE RECALL

There has not been much experience with the working of the recall in Oregon. In two cases it has been applied to the county administrative board. In both cases it is probable that the officers had made mistakes which would have justified their defeat at an election; whether they deserved a peremptory ouster is not so clear. It should be explained that both of these recalls affected the county judge, who is judge of probate and has a minor civil jurisdiction, but that his judicial conduct was not in question. His important function is as head of the county commissioners, the business officers of the county, and it was in respect of this that he was recalled. Except for these none but municipal officers have been recalled.

Negative evidence of some value is not wanting here, however. Two attempts have been made to recall judges of the circuit court. Both occurred under circumstances that writers on the subject of judicial

recall have pointed to as constituting the greatest dangers to the independence of the judiciary, and consequently to free institutions; namely, an unpopular decision or the appearance of taking an unpopular position by the judge, on an issue in which the public has a lively interest, and a strong and unscrupulous party or faction ready to urge its cause against the judge. In both these instances the promoters of the recall were unable, after long and energetic attempts, to so much as secure the necessary signers to the petitions to set the recall machinery in action, and both attempts died an ignoble death, unwept, unhonored, and until now, unsung. If they do not adorn the tale they may serve to point the moral, that so far as the evidence is in, it is perfectly safe to trust a normal American electorate with a weapon even as dangerous as this one. It seems clear to me that the independence of the judiciary is better assured by the complete breakdown of these two attempts against it than it could possibly be if the power had not existed to replace the judges. Sooner or later, directly or indirectly, judges must owe their tenure to the people. No length of term can so well establish the safety of a judge in doing his duty without fear or favor as the clear and plain assurance from the ultimate source of his authority that he has nothing to fear while he does so. I am not urging the adoption of the judicial recall anywhere else, nor defending it on principle here. I only insist that the evidence in Oregon, as far as it goes, is directly opposed to the fears and predictions of those who have been alarmed about it as an attack on the basis of our institutions.

PREFERENTIAL BALLOT

A few words on the workings of the preferential ballot first adopted this year. The new charter of the city of Portland provides for making nominations by the filing of a relatively small number of individual certificates, the method being designed to make the nomination exceedingly easy. At the election each voter is allowed to indicate among the candidates thus nominated a first, second, and third choice for each office, no two choices to be for the same candidate, however. If no one has a clear majority of first choice votes second choices are added; if no one then has a majority the third choice votes are counted in. At the election held in June, 1913, only a few weeks after the charter was adopted, there were some 87 candidates for the four commissioners to be elected. They included, along with a modicum of very good men, about every species of undesirable, from strong and experienced machine politicians to saloon hangers-on and ticket-takers at five-cent "movies." A voluntary committee of citizens published candid and impartial biographies of them all, and late in the campaign, in response to an urgent popular demand, indicated the twelve whom they considered the best. The twelve were all excellent men, but only one of them received enough

first choice votes to have elected him if the old plurality system had been working, and under that method the men elected to the new commission would have been no whit better than the ordinary type of councilmen from whom our cities have suffered so long and so grievously. But by use of the second and third choice votes the tables were turned. The candidates elected were all from among the twelve named by the committee, and by the consensus of intelligent opinion among the very best of them. The new plan accomplished exactly what its advocates had claimed. It focused upon the best men the suffrages of the great mass of voters who want nothing but good government. No system of elimination primaries has succeeded so well in bringing the unorganized mass of voters to concentrate on a single candidate; a thing which the professional politician with his better organization and better discipline can always do. It is too early to predict that the brilliant success achieved in this election will be permanent, but as explaining it in part I may quote the naive comment of a voter who said to me a few days after the election, "This new way is just what I have always wanted. You see a fellow really *has* to give a vote to his personal friends or to the men who have done something for him, but he can do that with his first choice vote, and these second and third choice votes, I figure they belong to the city."

The tale of Oregon's experience in self government may be dull enough in the telling; it has not been so in the living. It has been alive with the energies of struggle, shot through with humor, strong with constancy of purpose, sustained by the lift of great and grave hopes. We have been groping our way in no spirit of rash innovation nor unreasoning anger, but with a deep sense of the perfectibility as well as of the imperfections of our political institutions, toward that goal of "government of the people, for the people, and by the people" to which generous hearts have aspired in all ages, and we dare to hope our blind and stumbling feet are set on the path where is found the safety of this Republic and the future of democracy itself.

STATE OF OREGON

1902

MEASURES VOTED ON	TOTAL VOTE ON MEASURE	PER CENT OF AVERAGE		MAJORITY	
		VOTE FOR OFFICERS		FOR	AGAINST
1. Initiative and referendum amendment to constitution	67,692	78.5		56,356	

Average vote cast for six state officers and congressmen, 86,175; highest (secretary of state), 88,704; lowest (attorney general), 82,838; total electors voting, 92,920.

1904

2. Local option liquor law	83,514	92.2		3,118	
3. Direct primary election law	72,559	80.1		39,851	
4. Amendment permitting regulation of office of state printer	59,365	65.5		31,303	

Average vote cast for presidential electors, congressmen, dairy and food commissioner and justice of supreme court, 90,559; highest (congressmen), 93,906; lowest (dairy and food commissioner), 84,569; total number of electors voting, 99,315.

MEASURES VOTED ON	1906		PER CENT	
	TOTAL VOTE ON MEASURE	OF AVERAGE VOTE FOR OFFICERS	MAJORITY FOR	AGAINST
5. Referendum on appropriation for state colleges, asylums, etc.	70,676	78.2	17,160	
6. Equal suffrage amendment	83,977	92.9		10,173
7. Amendment of local option law to give anti-prohibitionists equal privileges	80,441	89.		9,847
8. To provide for state ownership of toll road across Cascades	76,052	84.1		13,002
9. Applying referendum to all laws for constitutional amendments or constitutional conventions	66,412	73.4	28,910	
10. To grant cities and towns exclusive power to enact and amend their charters	72,419	80.1	32,715	
11. To permit state printers' pay to be regulated by law	73,320	81.1	54,178	
12. To provide for initiative and referendum on local and special laws and parts of laws	64,413	71.2	30,943	
13. To prohibit the use of free passes by public officers	74,060	81.9	40,502	
14. To levy gross earnings taxes on sleeping car, refrigerator car, and oil companies	76,076	84.1	63,194	
15. To levy gross earnings taxes on express, telegraph and telephone companies	77,232	85.4	64,512	

Average vote for eight state officers, congressmen and United States senators, 90,377; highest (governor), 96,715; lowest (labor commissioner), 80,132; total number of electors voting, 99,445.

1908				
16. To increase pay of legislators	88,583	83.8		49,201
17. To permit state institutions to be located elsewhere than at capital on vote of the people	82,843	78.3	1,107	
18. To increase number of justices of supreme court, etc.	80,834	76.5		20,348
19. To change time of elections from June to November	84,318	79.7	47,138	
20. To give custody of county prisoners to sheriff, fixing the price of meals of prisoners	90,476	85.6	30,410	

MEASURES VOTED ON	TOTAL VOTE ON MEASURE	PER CENT OF AVERAGE		MAJORITY	
		VOTE FOR OFFICERS		FOR	AGAINST
21. To require railroads to transport state and county officers free	88,262	83.5			30,550
22. To appropriate \$100,000 to build armories for national guard	88,355	83.6			21,341
23. To increase annual appropriation for state university	84,650	80.1	3,580		
24. To grant woman suffrage	95,528	90.4			21,812
25. To regulate fishing for salmon and sturgeon in certain sections of Columbia river, etc.	87,302	82.6	5,862		
26. Giving cities exclusive control of theaters, race tracks, etc., and of the sale of liquor subject to the local option law	91,788	86.8			12,904
27. To exempt all improvements, tools, livestock and furniture from taxation	92,937	87.9			28,805
28. Amendment providing for recall of elective officers	89,383	84.6	27,379		
29. To instruct legislature to elect candidates for United States senators receiving largest popular vote	90,830	85.9	48,506		
30. Amendment authorizing proportional representation, preferential ballot, etc.	82,996	78.5	14,740		
31. To limit campaign expenses and prevent corrupt practices in elections	85,343	80.7	22,741		
32. To prevent fishing for salmon and sturgeon in upper Columbia, except with hook and line	86,410	81.7	25,850		
33. Restoring grand jury and prohibiting indictments to be found otherwise	80,701	76.3	23,727		
34. To create Hood River County out of portion of Wasco County	70,726	66.9	17,170		

Average vote for four state officers and United States senator, 105,670; highest (United States senator), 112,364; lowest (railroad commissioner), 98,617; total number of electors voting, 116,614.

1910

35. To grant suffrage to women taxpayers	94,335	90.7			23,795
36. To authorize construction of an insane asylum in eastern Oregon	91,638	88.1	8,630		
37. To authorize a convention to revise the constitution	83,117	79.9			36,831

MEASURES VOTED ON	TOTAL VOTE ON MEASURE	PER CENT OF AVERAGE VOTE FOR OFFICERS	MAJORITY	
			FOR	AGAINST
38. To create separate districts for each state senator and representative	78,252	75.3		30,252
39. To drop requirement that all taxation shall be equal and uniform	77,791	74.8		2,553
40. To authorize state construction of railroads	78,914	75.9		13,226
41. To provide that property may be specifically taxed	73,321	70.5		10,063
42. To increase the pay of a circuit judge in Eastern Oregon	84,664	81.4		58,342
43. Creating Nesmith County	83,457	80.3		37,725
44. To provide permanent support for Monmouth normal school	90,235	86.8	10,147	
45. Creating Otis County	79,442	76.4		44,590
46. To annex part of Clackamas County to Multnomah County	85,252	82.		52,752
47. Creating Williams County	78,598	75.6		49,582
48. To permit each county to adopt single tax and to abolish poll tax	86,298	83.	2,044	
49. To give cities and towns exclusive powers to control sale of liquors subject to local option law	104,100	100.1	2,542	
50. Employers' liability law for protection of laborers in hazardous occupation	90,201	86.8	22,315	
51. Creating Orchard County	78,376	75.4		47,048
52. Creating Clark County	77,317	74.4		46,091
53. To provide permanent support for normal school at Weston	87,099	83.8		5,303
54. To annex a portion of Washington County to Multnomah County	82,268	79.1		54,174
55. To provide permanent support for normal school at Ashland	87,128	83.8		10,182
56. To prohibit the manufacture and sale of liquor in Oregon	104,761	100.8		17,681
57. To prevent manufacture, sale, possession, exchange and giving away of liquor	106,215	102.2		20,913
58. To create commission to prepare bill to fix indemnity for injuries to employees	83,943	80.7		19,495
59. To prohibit fishing in Rogue River except with hook and line	83,109	79.9	16,315	
60. Creating DesChutes County	78,078	75.1		42,894

MEASURES VOTED ON	TOTAL VOTE ON MEASURE	PER CENT OF AVERAGE		MAJORITY	
		VOTE FOR OFFICERS		FOR	AGAINST
61. To provide for creation of new towns and counties by vote in such districts	79,456	76.4			5,198
62. To permit counties to go in debt for permanent roads	84,181	81.		18,369	
63. Authorizing presidential primaries	84,977	81.7		1,729	
64. To provide inspectors of government and for an official gazette	82,493	79.3			22,583
65. To provide for proportional representation in legislature and otherwise modifying its organization	81,397	78.3			7,335
66. Judiciary amendment to constitution authorizing verdict of three fourths of jury in civil cases and for affirmation of judgment on appeal, notwithstanding error committed in lower court	83,937	80.7		5,139	

Average vote for fourteen state officers and congressmen, 103,906; highest (governor), 117,690; lowest (water superintendent), 84,308; total number of electors voting, 120,248.

1912

67. To grant woman suffrage	118,369	92.1		4,161	
68. To create office of lieutenant governor	112,206	87.3			11,082
69. To permit specific taxation upon different classes of property	108,523	84.5			4,819
70. To require uniformity of taxation in each class of property specifically taxed	106,528	82.9			2,438
71. To repeal measure (adopted in 1910) permitting counties to regulate their own taxation	111,031	86.4		16,731	
72. To require majority of all electors voting for adoption of constitutional amendment	103,259	80.4			37,391
73. Imposing double liability on bank stockholders	104,719	81.5		61,243	
74. To give railroad commission jurisdiction over all public service corporations	106,941	83.2		25,029	
75. Creating Cascade County	97,702	76.			44,776
76. To create a single board of regents for state university and agricultural college and fixing tax levy for such institutions	105,980	82.5			8,578

MEASURES VOTED ON	TOTAL VOTE ON MEASURE	PER CENT OF AVERAGE		MAJORITY	
		VOTE FOR OFFICERS		FOR	AGAINST
77. To require majority of all electors voting for adoption of initiative measures	104,582	81.4			33,140
78. To permit counties to issue bonds to build permanent roads. (Grange bill)	106,412	82.8			7,014
79. To create a state highway department with engineer at \$3,600 a year. (Grange bill)	107,718	83.8			59,974
80. Anticipating date bill regulating state printer becomes effective	104,335	81.2			34,749
81. To create office of hotel inspector	108,905	84.8			75,085
82. To make an eight-hour day on all public works	112,586	87.6		16,430	
83. To supervise selling stocks and bonds and to require a license therefor	106,058	82.6			8,528
84. To prohibit employment of state convicts by private agencies and to authorize their employment on public works	111,292	86.6		36,308	
85. To prohibit employment of city convicts by private agencies and authorizing their employment on public works	109,098	84.9		33,636	
86. To create a state board to issue bonds not exceeding a million a year to build public roads. ("Harmony" bill)	106,487	82.9			44,693
87. To prohibit state from incurring indebtedness for road building in excess of 2 per cent of taxable property. ("Harmony" bill)	102,899	80.1		16,005	
88. To authorize counties to issue twenty-year bonds for road building, etc. ("Harmony" bill)	103,821	80.8			16,599
89. To prohibit counties from voting road bonds in excess of 2 per cent of assessed valuation. ("Harmony" bill)	101,116	78.7		13,400	
90. To provide for consolidating contiguous cities and towns	97,191	75.6			16,793
91. To provide for the taxation of incomes from whatever source derived	105,650	82.2			246
92. To exempt from taxation all household goods actually in use	112,183	87.3		8,531	

MEASURES VOTED ON	TOTAL VOTE ON MEASURE	PER CENT OF AVERAGE		MAJORITY FOR AGAINST
		VOTE FOR OFFICERS		
93. To exempt from taxation all debts of every kind except bank stock and banking capital	109,031	84.9		24,049
94. To revise inheritance tax laws, etc.	102,448	79.7		25,230
95. To fix percentage of freight rates on less than carload lots and to establish minimum weights and maximum freights	103,840	80.8	12,772	
96. To authorize county courts to sell bonds for roads when authorized by voters. ("Medford" road bill)	102,049	79.4		24,913
97. To abolish state senate; governor to introduce appropriation bills; proportional representation, etc. (U'Ren constitution)	102,203	79.6		40,163
98. To provide graduated taxes on franchises and natural resources and exempting improvements on land and personalty. (State-wide single tax)	113,549	88.4		50,481
99. To abolish capital punishment	106,529	82.9		22,627
100. To prohibit picketing or boycotting and inducing employees to quit work	110,386	85.9		10,734
101. To prohibit use of streets and public places for public discussion without written permit from mayor	111,519	86.8		13,545
102. To appropriate \$328,258 for state university buildings	108,422	84.4		49,548
103. To appropriate \$175,000 for library and museum for university	106,686	83.		52,066

Average vote for four state officers, presidential electors and congressmen and United States senator, 128,391; highest (presidential electors), 137,040; lowest (railroad commissioner), 118,348. Total number of electors voting, 144,113.

REFERENDUM ELECTION

1913

104. Repair fund for university of Oregon	97,259	16,059
105. Appropriation for university buildings	96,583	10,555

MEASURES VOTED ON	TOTAL VOTE ON MEASURE	PER CENT OF AVERAGE VOTE FOR OFFICERS	MAJORITY	
			FOR	AGAINST
106. Sterilization law	95,086			11,552
107. County attorney act	92,338		16,020	
108. Workmen's compensation act	96,422		39,206	
Total number of votes cast, 102,276.				

CITY OF PORTLAND

1905

1. To annex territory	9,962	73.1	638	
2. To annex territory	10,007	73.4	3,103	
3. To tax whole city for bridges	11,141	81.7	2,991	
4. To grant street railway franchise	10,124	74.3		1,886
5. To provide security for city funds	9,192	67.5	2,462	
6. To provide a clerk for police court	9,240	67.8	526	
7. To place penalty on delinquent assessments	9,039	66.4		939
8. To decrease cost of advertising	9,446	69.3	6,034	
9. To grant telephone franchise	13,773	101.	12,653	

Average vote cast for ten city officers, 13,624; highest (mayor), 14,689; average for five councilmen, lowest, 13,156.

1907

10. To issue water bonds	14,363	91.4	131	
11. To issue park and boulevard bonds	14,286	90.9	2,000	
12. To issue dock bonds	13,961	88.9	4,867	
13. To issue bridge bonds	14,440	91.9	9,304	
14. To issue bonds for fire boat and water mains	13,943	88.8	3,967	
15. To improve streets by districts	13,121	83.5	5,317	
16. To permit remonstrance of four-fifths of property owners to defeat street improvements	12,736	81.1	3,396	
17. To regulate sale of property for assessments	12,445	79.2	5,961	
18. To increase salary of city engineer	13,745	87.6		4,841
19. To increase salary of city attorney	13,750	87.6		5,950
20. To increase salary of city treasurer	13,654	86.9		4,980
21. To increase salary of police judge	13,678	87.1		2,804
22. To increase salaries of councilmen	13,905	88.5		6,395
23. To create office of sergeant of police	12,864	81.9	2,556	
24. To create free employment bureau	13,449	85.6	6,583	

MEASURES VOTED ON	TOTAL VOTE ON MEASURE	PER CENT OF AVERAGE		MAJORITY FOR AGAINST
		VOTE FOR OFFICERS		
25. To annex territory	11,950	76.1	3,996	
26. To create board of engineer examiners	13,172	83.8		1,790
27. To regulate electrical wiring	13,179	83.9		2,059
28. To grant franchise to gas company	13,915	88.6	3,385	
29. To increase liquor license fees	14,203	90.4	1,735	
30. To fix wholesale liquor license fees	13,599	86.6	4,389	

Average vote cast for eight city officers, 15,701; highest (mayor), 16,919; lowest (councilmen), 14,866.

1909

31. To adopt commission form of government	15,673	93.8		5,867
32. To levy cost of water mains on property benefited	14,824	88.8		6,806
33. To pay cost of water mains out of water fund	14,122	84.5	472	
34. To amend provisions for official advertising	14,581	87.3		3,785
35. To regulate electric wiring	14,989	89.7		1,943
36. To require franchise holders to keep books of account	14,746	88.3	5,858	
37. To amend section creating women's auxiliary of police	15,065	90.2	1,031	
38. To purchase warrants from any idle fund	14,470	86.6		2,904
39. To permit bank of \$50,000 capital to apply for deposits	14,273	85.5	87	
40. To deposit funds upon open accounts	13,952	83.5		3,050
41. To take chief deputy engineer and others from civil service	14,151	84.7		2,777
42. Regulating discharge of employees in civil service	14,617	87.5	2,331	
43. To authorize deputy clerk in police court	14,610	87.5		3,806
44. To authorize auditor to act as clerk of viewers	14,241	85.3	3,999	
45. To withhold delivery of warrants till proof of prior liens is filed	14,048	84.1	3,320	
46. To require assurances of rededication on vacating streets	13,538	81.1	1,942	
47. To appropriate earth above street grades	14,202	85.	896	
48. To provide bonding assessments for street and sewer work	13,805	82.6	1,777	

MEASURES VOTED ON	TOTAL VOTE ON MEASURE	PER CENT OF AVERAGE		MAJORITY	
		VOTE FOR OFFICERS		FOR	AGAINST
49. To increase rate of interest on delinquent assessments	14,122	84.5			6,140
50. To provide that acceptance of improvements by city is conclusive as to character	13,505	80.9			667
51. To abolish water, park and health boards	14,322	85.7			1,590
52. To issue bonds for water mains	13,813	82.7	1,403		
53. To permit council to fix salary of city engineer	14,461	86.6			3,039
54. To permit council to fix salary of city treasurer.	14,282	85.5			7,342
55. To permit council to fix salary of city attorney	14,491	86.8			7,371
56. To issue crematory bonds	15,481	92.7	7,999		
57. To issue Broadway bridge bonds	16,139	96.6	4,017		
58. To regulate electric poles, wires, etc.	14,597	87.4	1,673		
59. To transfer Hawthorne bridge to Market street	15,953	95.5			11,495
60. To issue Sherman street bridge bonds	15,499	92.8			9,017
61. To prohibit use of patented articles	14,885	89.1			9,415
62. To grant a corporation exclusive privilege of selling liquor for ten years	16,111	96.5			13,913
63. To create an excise board to control sale of liquor	15,559	93.2			9,233
64. To issue light and power bonds	15,723	94.1			3,645
65. To license vehicles	15,443	92.5			815

Average vote cast for seven city officers, 16,693; highest (mayor), 17,751; lowest (councilmen), 15,802.

SPECIAL ELECTION

	1910			
66. To issue dock bonds	27,076		10,466	
67. To issue bonds for water system	26,261		3,645	
68. To increase salary of city engineer	25,605			609
69. To increase salary of city attorney	25,439			1,531
	1911			
70. To issue Meade street bridge bonds	25,471	96.8		2,411
71. To levy tax for street cleaning fund	22,807	86.7	2,765	

MEASURES VOTED ON	TOTAL		PER CENT	
	VOTE ON	OF AVERAGE	MAJORITY	
	MEASURE	OFFICERS	FOR	AGAINST
72. To pension firemen	25,277	96.1		3,643
73. To increase city attorney's salary	24,080	91.5		2,926
74. To pension policemen	25,057	95.2		9,977
75. To issue bonds for municipal building	24,669	93.8	12,575	
76. To issue park bonds	24,674	93.8		10,522
77. To fill gulches out of special bridge fund	23,245	88.3	3,373	
78. To issue public auditorium bonds	24,686	93.8	3,144	
79. To issue bonds for garbage collecting system	24,119	91.7	5,497	
80. To increase salary of city engineer	23,807	90.5		99
81. To pension men in street cleaning department	24,550	93.3		14,542
82. To require two or more sets of plans for sewer work	23,116	87.9	6,956	
83. No seat no fare ordinance	25,736	97.8		8,308
84. To levy license tax on gross receipts of gas companies	24,206	92.	3,104	
85. To levy license tax on gross receipts of electric companies	23,923	90.9	2,817	
86. To create a public service commission	22,897	87.		485
87. To issue bonds for municipal paving plant	24,160	91.8		7,264
88. To prevent rights and interests of city from being divested	22,947	87.2	6,551	
89. To regulate fences and bill boards	24,631	93.6	5,623	
90. To authorize council to determine lowest bidder and select street improvement	22,597	85.9	1,139	
91. To prevent carrying of banners	24,872	94.5		8,380
92. To prevent boycotting	24,952	94.9		756

Average vote cast for ten city officers, 26,293; highest (mayor), 28,006; lowest (councilmen), 25,423.

SPECIAL ELECTION

1912

93. To adopt commission form of government	25,353	917
94. To issue bonds to buy Ross Island	25,449	15,043
95. To issue bonds for a South Portland bridge	25,444	9,362
96. To issue incinerator bonds	25,262	1,496
97. To issue park and boulevard bonds	25,271	6,047

MEASURES VOTED ON	TOTAL VOTE ON MEASURE	PER CENT OF AVERAGE		MAJORITY	
		VOTE FOR OFFICERS		FOR	AGAINST
98. To issue bonds for site of public auditorium	24,752				6,060
99. To vacate streets for public purposes	24,520			8,102	
100. To lengthen time for bonding street and sewer assessments	24,708			16,498	
101. To increase city attorney's salary	24,959				7,599
102. To increase city treasurer's salary	24,875				8,471
103. To increase city engineer's salary	25,056				6,000
104. To create office of city prosecutor	24,561				11,575
105. To bond street extension assessments	23,826			9,206	
106. To take police out of civil service	25,567				13,537
107. To levy general tax to pay water bonds when fund is short	24,287				7,063
108. To authorize city engineer to make street assessments	24,101			3,209	
109. To issue public market bonds	25,274				288
110. To create public service commission	24,248				7,796
111. To charge three cents toll for cars on bridges	24,905			9,711	
112. To indorse Greater Portland plans	24,198			8,206	
113. To grant electric company franchise	25,818			21,924	
114. To adopt a short charter creating commission government	24,655				17,489

SPECIAL ELECTION ON COMMISSION CHARTER AND NOMINATING OR PRIMARY ELECTION
UNDER OLD CHARTER TO BE EFFECTIVE IF COMMISSION CHARTER FAILED TO CARRY

1913

115. To adopt the commission form of government	34,342	135.8	292	
---	--------	-------	-----	--

Average vote cast for candidates for seven offices, 25,282; highest (mayor), 30,674; lowest (city attorney), 22,517.

REGULAR ELECTION

1913

116. To pension firemen	42,353	99.6	13,553	
117. To grant street railway franchise	40,236	94.6		10,502
118. To repeal railroad franchise	37,009	87.		5,125
119. To repeal railroad franchise	36,854	86.7		4,970
120. To issue bonds for a South Portland bridge	39,467	92.8		14,125

MEASURES VOTED ON	TOTAL VOTE ON MEASURE	PER CENT OF AVERAGE		MAJORITY	
		VOTE FOR OFFICERS		FOR	AGAINST
121. To issue incinerator bonds	38,954	91.6		6,812	
122. To pay part of street assessments by city	36,421	85.7			525
123. To issue bonds for parks and play grounds	39,183	92.2			7,621
124. To permit indeterminate sen- tences for violation of city laws	34,737	81.7		7,317	
125. To issue bonds for historical so- ciety building	38,113	89.6			17,597
126. To eliminate grade crossings	34,534	81.2		9,560	
127. To issue bonds to buy Council Crest Park	38,965	91.6			12,643
128. To authorize a common trans- portation terminal	33,775	79.4		9,055	
129. To retain public docks commis- sion	35,630	83.8		10,544	

Average vote for six city officers, 42,494; highest (mayor), 45,521; lowest (commissioner), 41,456.

Note.—Thanks are due Mr. George A. Thacher for indispensable assistance in the compilation of these tables. They are compiled directly from the official returns as published by the secretary of state and the auditor of the city of Portland, and are believed to be more accurate than any other similar tables before published.

THE RIGHTS OF MUNICIPAL CORPORATIONS UNDER THE CONTRACT CLAUSE OF THE FEDERAL CONSTITUTION¹

BY HOWARD LEE MCBAIN²

Columbia University

IN THE United States the problem of the legal relation between the city and the state is perhaps the oldest of the problems of the city. It is none the less a problem of present day vitality and interest. Twelve states have now, under varying conditions, attempted to meet this problem by conferring upon cities the power to frame their own charters. In the remaining thirty-six states, cities must still find the source of their authority and many of the details of their organic life wholly in statutes. Lying at the foundation of the American system of jurisprudence is our peculiar method of protecting private rights, involving as it does two important elements: first, the writing into constitutions of prohibitions upon the government in favor of such rights; and second, the vesting of power in the courts to invalidate any law that trenches upon these prohibitions. In the progress of our institutional life we have formed the habit of attempting to cure many of the abuses of governmental action by tying the government's hands—and especially the hands of the legislature—with an ever increasing number of constitutional limitations. For more than two generations at least the city has been *par excellence* the butt of legislative abuse. As a result of this fact clauses of various content seeking to set up for the city specifically a degree of protection in its "rights" have been incorporated into many state constitutions; and out of the judicial interpretation of these clauses there has developed a branch of our constitutional law dealing with what may be called, perhaps, the private rights and immunities of cities.

Wholly aside, however, from any consideration of the provisions of state constitutions referring specifically to cities, it is not to be overlooked that the municipal corporation is in many aspects of its being a legal person, endowed with a corporate capacity and with the right to own property, to contract, to sue and be sued. The broad question presents itself: to what extent may the city invoke as a defence against legislative interference the guarantees that are incorporated into our state and national constitutions in behalf of persons and property in general? It is by no means difficult to cite the opinions of courts and commenta-

¹ This article is in large part founded upon a chapter included in a forthcoming volume by the author dealing with the whole problem of the legal relation of the city to the state.

² Associate Professor of Municipal Administration, Columbia University.

tors that seem to answer this question with enviable cavaliness; but it is submitted that these opinions are often expressed without adequate appreciation of their logical consequences and that the knot of legal principles involved has not as yet been completely and satisfactorily unraveled.

This article deals with a single phase of this broad subject; to wit, with the question of what protection is afforded the city by the clause of the federal constitution that prohibits a state from passing any law impairing the obligation of a contract. The doctrine that a corporate charter issued by public authority constitutes a contract between the state and the corporators was enunciated by the Supreme Court of the United States in the far-famed case of *Dartmouth College v. Woodward*.³ From the viewpoint of public policy this doctrine, even as applied to private corporations, is certainly open to serious objections.⁴ Applied to the charters of municipal corporations its consequences would have been little short of monstrous. In the *Dartmouth College* case, therefore, the court intimated that such a doctrine would not be applicable to the charters of public corporations; and as soon as the question was squarely presented to the court this intimation was transformed into an express declaration.⁵ The unequivocal manner in which the courts have repudiated the idea of the existence of a contractual relation between the city and the state may be illustrated by the somewhat typical language used by Mr. Justice Clifford, speaking for the court in the case of *Mt. Pleasant v. Beckwith*.⁶ Referring to municipal corporations he said:

They cannot have the least pretension to sustain their privileges or their existence upon anything like a contract between themselves and the legislature of the state, because there is not and cannot be any reciprocity of stipulation between the parties, and for the further reason that their objects and duties are utterly incompatible with everything partaking of the nature of compact.

Such an unqualified declaration as this would seem to be a conclusive determination of the lack of authority in a municipal corporation to set up under any circumstances a claim to protection under the contract clause of the federal constitution. But the supreme court has not always been so unguarded in its utterances upon this subject. Nor are the reports of state decisions lacking in expressions of opinion that would qualify and modify so sweeping a declaration. Thus a distinguished commentator has recently asserted⁷ that the highest court of the land has gone no further than to declare that the charter and legislative acts confer-

³ 4 Wheaton 518. 1819.

⁴ Goodnow, *Municipal Home Rule*, 40.

⁵ *Ibid*, 31, and cases cited.

⁶ 100 U. S. 514. 1879.

⁷ McQuillin, *Municipal Corporations*, I, pp. 378, 540.

ring power or regulating the use of property held by the city "for governmental (state) purposes" do not constitute a contract; and that it is an established doctrine of that court "that, with respect to its *private or proprietary rights and interests* the municipal corporation may be entitled to the constitutional protection relating to the impairment of contracts."

In other words, upon the basis of the distinction drawn in so many branches of the law of municipal corporations between the municipality as an agent of the state and as an organization for the satisfaction of local needs, it is asserted as the view of the Supreme Court that, while the city in its agency capacity does not enjoy a contractual relation with the state, it does stand in such relation with the state in its local, or what is often referred to as its "private," capacity. It is manifest that, if this distinction is to be applied in determining the extent of the city's inviolable rights of contract with the state, Mr. Justice Clifford was wholly in error when he declared that cities had not the least pretension to sustain their privileges upon anything like a contract. We have here, therefore, an obvious conflict of declaration; and it seems desirable that the law, if possible, should be sifted to its foundation.

The distinguished commentator above mentioned cites two cases in support of his statement of the rule laid down by the supreme court. These cases are *New Orleans v. The New Orleans Water Works Co.*⁸ and *Covington v. Kentucky*.⁹ The opinions handed down in these cases are, in consequence, worthy of careful examination. The New Orleans case arose over an attempt on the part of the city and certain taxpayers to resist the payment to the water company of rents for water used by the city. The city contended that the original charter of the company required free water to be furnished for municipal uses in return for the company's being exempt from municipal taxation. The opinion of the Supreme Court recited in part as follows:

There are several reasons why the city cannot claim that this contract was impaired by subsequent legislation: first, because the contract itself, which was in reality between the state and the water works company, was *ultra vires* and void [on the ground that under the state constitution the legislature had no power to exempt such property from taxation], and was so declared by the supreme court of Louisiana in the case between the city and the water works company¹⁰; second, because the city repudiated its contract . . . ; third, the city, being a municipal corporation and the creature of the state legislature, does not stand in the position to claim the benefit of the constitutional provision in question, since its charter can be amended, changed or even abolished at the will of the Legislature.

⁸ 142 U. S. 79. 1891.

⁹ 173 U. S. 231. 1898.

¹⁰ 36 La. Ann., 432. 1884.

After quoting from a number of cases ¹¹ in support of this latter point, the court continued:

Further citation of authorities upon this point are unnecessary; they are full and conclusive to the point that the municipality, being a mere agent of the state, stands in its governmental or public character in no contract relation with its sovereign, at whose pleasure its charter may be amended, changed, or revoked, without the impairment of any contract obligation, while with respect to its private or proprietary rights and interests it may be entitled to constitutional protection. In this case the city has no more right to claim an immunity for its contract with the water works company than it would have had if such contract had been made directly with the state. The state, having authorized such contract, might revoke or modify it at its pleasure.

Just why the court should, in its conclusion, have introduced the distinction between the city "in its governmental or public character" and in its "private or proprietary rights and interests," in which the court declared that it "may be entitled to constitutional protection," it is difficult to see. The distinction was not made in any of the opinions which the court quoted with approval. In one of these cases ¹² the court had declared that an act of the legislature of Connecticut discontinuing a ferry, the franchise of which had been enjoyed for over a hundred years by Hartford and subsequently by East Hartford, did not impair the obligation of any contract because this franchise, having been granted to a public corporation, was not in the nature of a contract. It is to be noted, moreover, that the franchise in this particular instance might have been held revocable because the grant was made specifically "during the pleasure of the legislature." The court ignored this fact and based its opinion on the broader ground indicated. Now it may be pertinently remarked that, if a franchise of this kind is to be considered as among the rights which a municipal corporation enjoys in its "governmental or public character," it is difficult to imagine what its "private or proprietary rights and interests" may be. Likewise in the New Orleans case, even though the distinction drawn by the court between the public and the private rights of the city may be regarded as germane to the decision of the case at bar—and certainly it need not be so regarded—it is difficult to see how a "right" which the city enjoys under the authority of state law to the free use of water for municipal purposes can be classed as a right enjoyed in its governmental or public capacity—that is, in its capacity as an agent of the state. Indeed, it is not easy to conceive of a "right" that could be more peculiarly local and, therefore, more "private or proprietary" in character. Of course if the phrase "govern-

¹¹ *Dartmouth College v. Woodward*, 4 Wheat. 518; *East Hartford v. Hartford Bridge Co.*, 10 How. 511; *Laramie Co. Commissioners v. Albany Commissioners*, 92 U. S. 307; *Williamson v. New Jersey*, 130 U. S. 189; *Essex Pub. Road Board v. Skinkle*, 140 U. S. 334.

¹² *East Hartford v. Hartford Bridge Co.*, 10 How. 511. 1850.

mental or public character" is to be given so broad a definition as to include practically the whole gamut of municipal activities and relations, there is obviously no objection to the introduction of the distinction in question. But it is equally obvious that no utility is gained by asserting a distinction that lacks all substance in application.

The case of *Covington v. Kentucky* involved the following facts: In 1886 the legislature of Kentucky passed an act authorizing the city of Covington to construct a waterworks and exempting the same from state taxation. The state constitution adopted five years later contained a provision exempting from taxation "public property used for a public purpose." In 1895 certain lands which the city had acquired for its waterworks were assessed for state and county taxes, and, upon the city's refusal to pay, were sold in satisfaction of the tax claim. The city contended: first, that the act of 1886 gave it a contractual exemption from taxation the obligation of which the state had sought to impair; and second, that the property was "public property used for a public purpose" within the meaning of the state constitution. The latter contention involved no federal question, and Mr. Justice Harlan, who rendered the opinion of the court, reluctantly accepted the interpretation put upon the state constitution by the Kentucky court of appeals to the effect that the property in question was not "public property" but property held "for the profit and convenience" of the people of the city collectively.¹³ He denied, however, that the imposition of the tax by the state impaired the obligation of a contract into which the state had entered with the city, basing his opinion upon two grounds. First, assuming that the property was not public property, he pointed out, nevertheless, that there existed in 1886 a general statute reserving to the state the power to amend any charter that it might grant; and in consequence of this, the state had full power to alter the terms of its grant of power to construct a waterworks without impairing the obligation of any contract. Second, if it be conceded, as the city contended and the highest court of the state denied, that the property was "public" in character, then the protection of the federal constitution must still be denied for "neither its charter nor any legislative act regulating the use of property held by it for governmental or public purposes is a contract within the meaning of the Constitution of the United States."

It must be conceded that in stating the opinion of the court the learned justice *did* imply that a municipal corporation in respect to its "proprietary" or "non-governmental" rights might invoke the protection of the contract clause of the federal constitution. In final analysis, however, it is manifest that the decision went no further than to assert that in

¹³ This interpretation of the state constitution was subsequently overruled in Kentucky. See *Frankfort v. Commonwealth*, 29 Ky. L. 699 (1906) and *Ryan v. Louisville*, 133 Ky. 714 (1909).

this particular instance whatever "contract" rights might be found in the act of 1886 were enjoyed by the city subject to the right of the state to change them under the general reserve statute that existed. It was not necessary to determine whether in the *absence* of such a statute the state by the act of 1886 had entered into a contract with the city which it could not by subsequent legislation impair. Nor was this point directly raised. It is highly probable that, finding the changed condition imposed by the state to be in any case valid under the general reserve statute, the court failed to make an appropriate reservation to the effect that, *if* the original grant of exemption from taxation could be considered as a contract, it was, nevertheless, subject to the reserve statute. Thus the court drifted into an implication that the contract clause of the constitution might in some cases be invoked to protect the city against legislative interference with its "rights."

The New Orleans and the Covington cases are perhaps the only cases of record that may be cited as authority for the assertion that the United States supreme court has in any respect qualified or delimited the broad doctrine laid down in other cases to the effect that a municipal corporation cannot as to its rights and privileges claim the protection of an inviolable contractual relation with the state. And certainly it would seem that, whatever possible concession to the doctrine that the city in its "private and proprietary rights and interests" is protected under the contract clause may be said to lurk in the opinions expressed in these two cases, it can scarcely be said that such a doctrine was *clearly established* by either of them.¹⁴

In the American scheme of judicial control, dating in its essential parts from the federal judiciary act of 1789, the recorded opinions of the federal courts do not contain the whole body of judicial interpretation of the federal constitution. In this interpretation, as everyone knows, the highest courts of the several states play an important part, for their decision is final in any case in which an asserted federal right is sustained by them. Hence, whenever a rule of constitutional law has not been

¹⁴ As late as 1907 the Supreme Court, delivering through Mr. Justice Moody in *Hunter v. Pittsburgh*, 207 U. S. 161, asserted that the distinction between a municipal corporation in its "public or governmental capacity" and in its "private capacity" has never been expressly recognized by that court, although it has been "noticed." He declared: "If the distinction is recognized it suggests the question whether property of a municipal corporation owned in its private or proprietary capacity may be taken from it against its will and without compensation. Mr. Dillon says truly that the question has never arisen directly in this court. But it and the distinction upon which it rests has several times been noticed." Among the cases cited at this point as merely *noticing* this distinction are the New Orleans and the Covington cases. There can, therefore, be little uncertainty as to the interpretation put upon these cases by the Supreme Court itself.

definitely settled by the highest federal court, resort must be had to the opinions expressed by state courts, if such can be found in point.

Now in the reported decisions of state courts a few cases can be found in which laws have been declared void upon the express ground that they operated to impair the obligation of a contract into which the state had entered with a municipal corporation. Thus in 1851 the legislature of California granted to the city of San Francisco for wharf purposes a ninety-nine year estate in a tract of land known as the "city slip property." Two years later the city attempted to make a conveyance of its estate in this property; but the resolution for sale was held to have been adopted contrary to the provisions of the city charter. Subsequently the legislature ratified the attempted sale, and the act of ratification was attacked upon the ground that, since the corporation had not legally consented to the transfer, the legislature was powerless to enact a law which in effect violated its grant to the city. The court, speaking through Chief Judge Field, declared:¹⁵

The estate having vested in the city, ceased to be the subject of the legislation of the state, except to the same extent that all property is thus subject. It could not be afterwards divested by the state, or by any proceedings instituted by her direction. . . . Nor is there any difference in the inviolability of the contract between a grant of property to an individual and a like grant to a municipal corporation. So far as municipal corporations are invested with subordinate legislative powers for local purposes they are mere instrumentalities of the state for the convenient administration of the government and their powers are under the entire control of the legislature; they may be qualified, enlarged, restricted, or withdrawn at its discretion. But these bodies, says Kent, "may also be empowered to take and hold property for municipal uses, and such property is invested with the security of other private rights." (1 Com. 3 vol. 275.) . . . A legislative grant is an executed contract, and as such is within the clause of the constitution of the United States which prohibits the states from passing any law impairing the obligation of contracts. This was expressly decided by the supreme court in *Fletcher v. Peck*, 6 Cranch, 137. It cannot, therefore, be destroyed, and the estate be divested by any subsequent legislative enactment. And though a municipal corporation is the creature of the legislature, yet when the state enters into a contract with it, the subordinate relation ceases, and that equality arises which exists between all contracting parties. And, however great the control of the legislature over the municipal corporation, it can be exercised only in subordination to the principle which secures the invalidity of contracts.

Of similar import—if not, indeed, far stronger in the assertion of the inviolability of contracts between the state and a municipal corporation—is the opinion of Judge Foster, delivering for the court in the New Hampshire case of *Spaulding v. Andover*.¹⁶ In 1870 the legislature issued bonds

¹⁵ *Grogan v. San Francisco*, 18 Cal. 590. 1861.

¹⁶ 54 N. H. 38. 1873.

for the reimbursement of the several towns of the state for military expenses incurred by them during the Civil War, the said bonds to be apportioned on the basis of the number of men furnished by each town. Two years later a law was enacted which provided that in the case of persons who had received no military bounty from the town, the money or bond issued by the state should become the property of such persons or their representatives instead of the property of the town. The opinion of the court recited in part as follows:

This [act of 1870] was an unqualified, unlimited, unincumbered grant, possessing all the incidents of an executed and irrevocable contract. A constitutional act of legislation, which is equivalent to a contract, and is perfected, requiring nothing further to be done in order to its entire completion, is a contract executed. Whatever rights are thereby created, a subsequent legislature cannot impair. If the proviso, condition, or limitation, enacted in 1872, had been engrafted upon or made a part of the reimbursement act, it would have been binding, and the town would take the benefits of the act, perhaps, with its burdens. The same rule applies to an obligation created by a constitutional law, which is in the nature of an executory contract, supported by a sufficient consideration. The law of 1872 . . . is invalid, as being contrary to that provision of the federal constitution, article 1, section 10, which declares that no state shall pass any law impairing the obligation of contracts.

Another case in which the invalidity of a legislative enactment was sustained, in part at least, upon the doctrine of the inviolability of contracts between the city and the state was that of *Webb v. The Mayor of New York*, 64 Howard's Practice Reports 10, decided in 1882. The act under review in this case directed that a reservoir owned by the city be converted into a park. In declaring this act to be beyond the competence of the legislature, the following opinion was expressed by Judge Macomber, who spoke for the court:

I perceive no difference between the tenure of property thus held by the city and the proprietary rights of natural persons or private corporations. This privilege, however, is peculiar in this state to the city of New York. Its corporate name is the same that it has had for upwards of two hundred years, long antedating the organization of the state as an independent political entity. And while it was doubtless competent, when the British rule ceased, for the state to take from the city of New York its property and privileges, as an episode of the revolution, it is sufficient to say that it did not see fit to do so. Having once recognized such rights [by express confirmation of the colonial charter of the city] in the organic law of 1777, and having become, ten years afterward, amenable to the provisions of the constitution of the United States, by which it was prohibited to pass any law impairing the obligations of contracts, it is not, in my judgment, competent for the state, under cover of exercising political powers, to take away from the city any vested rights of property. It seems to me that such rights are as indestructible by legislative act as are the property rights of citizens.

In the view of the court, the relation between the city and the state which was here held to be of an inviolable contractual nature grew out of the fact, first, that the city was seized of title to the property in question in fee simple by grant contained in its charter of 1686 issued by Governor Dongan under authority from the English Crown, and, second, that this grant had been specifically confirmed by the several constitutions of the state of New York. In this respect the court regarded the tenure of the city in this property as "peculiar." It will be observed that the court did not hold the law void on the ground that it violated the provision of the then existing state constitution confirming the grant, but on the ground that it impaired the obligation of a contract between the city and the state, which contract had simply been confirmed by such provision. In other words, under the doctrine announced, even though the provision had been omitted from the constitution of 1846, the contract would have remained inviolable. Under these circumstances it is difficult to perceive the respects in which the city's tenure in this property was peculiar. Apart from streets, most of the property owned by a municipal corporation is ordinarily held either in fee simple or, as it were, in trust for some specific purpose. Is the diversion of property from a purpose for which it is held in trust less a violation of contract than a requirement that property held in fee shall be devoted by its owner to another personal use? If it be argued that the "peculiarity" of the tenure arose out of the fact that the grant of title was made by the creator of the corporation—the Crown, to whose capacity in this regard the state succeeded—it need only be answered that, if *any* distinction as to the character of the corporation's tenure in its various properties is to be based upon the source of their title, it would seem that logically the city would be entitled to *less* protection under a "contract" by which it acquired title to property direct from its superior, the state, than in contracts of purchase or dedication by which it acquired property from other owners under a mere authorization from the state. However, whatever may be thought of the soundness of the views expressed in this case, it must certainly be classed with those cases in which laws have been declared void upon the express ground that they impaired the obligation of contracts between municipal corporations and the state.

The three cases here noted, from the California, New Hampshire, and New York jurisdictions, are probably the only instances to be found in the state reports in which a law has been declared void specifically upon the ground that it impaired the obligation of a contract between the state and a municipal corporation.¹⁷ In addition to these, however,

¹⁷ The case of *Trustees v. Bradbury*, 11 Me. 118 (1834), cannot properly be added to this list. Here the town of New Gloucester had been granted by the state certain lands for school purposes. Subsequently, upon application of the town, and, therefore, *with its consent*, title to these lands was transferred to a *self-perpetuating* board of trustees.

there are a number of cases in which the applicability of the contract clause to the relations existing between the municipality and the state has been asserted as *dictum*. Thus in the case of *Benson v. The Mayor*,¹⁸ there was drawn into question the validity of an act of the New York legislature of 1845 by which the governor was authorized to appoint three commissioners who should have the power to grant ferry licenses in New York. It was expressly stipulated in the law, however, that these licenses should not interfere with the rights of New York city in and to ferries already established. After having made an extensive historical and legal inquiry in order to establish the fact that the city was possessed of its title and franchise to its ferries in fee simple, the court declared that "the doctrine of the inviolability of such franchise interests rests upon two grounds: (1) the constitutional protection thrown around contracts, (2) the sacredness of vested rights." It was further asserted that the opinion expressed in the Dartmouth College case, in respect to the probable inapplicability to public corporations of the doctrine of that case, extended no further than to require "a strict construction of grants under which such bodies claim rights of a private nature." The point of importance, however, so far as the binding force of these remarks is

Still later the legislature enacted that the trustees should be annually elected. This latter act was held to impair the obligation of the trustees' contract with the state, this decision being rested specifically upon the ground that the trustees were not strictly a public corporation within the definition of that term laid down by Marshall in the Dartmouth College case.

The case of *Ellerman v. McMains*, 30 La. Ann. 190 (1878), may also be excluded. The New Orleans charter of 1836 conferred upon the city power to construct wharves and to collect wharfage. In 1874 the legislature passed an act exempting from the payment of wharf charges boats built within the state. This act was held to be void; but no mention was made of the contract clause, the court declaring that this act operated to deprive the city of property without due process of law.

The case of *Town of Milwaukee v. City of Milwaukee*, 12 Wis. 93 (1860) is likewise not clearly in point, although it is often cited in this connection. The chief question at issue was as to the authority of the legislature to transfer to the city certain property of the town which was located upon territory annexed to the city. While the course of reasoning employed by the court is by no means easy to unravel, and while the doctrine laid down is certainly contrary to that sustained by an overwhelming weight of authority in cases involving changes of municipal boundaries, a careful analysis of the opinion seems to disclose that the inviolable contract which the court here had in mind was a contract between the town and a private person growing out of the purchase of the property in question. We are not in this article discussing the rights of municipal corporations arising out of their contractual relations with third parties. Such a discussion would necessitate the consideration of many additional cases. It may be remarked, in passing, that while it would seem that a municipal corporation ought to enjoy, as to its contracts with private persons, a degree of protection against legislative impairment comparable to that enjoyed by such persons, it is not difficult to demonstrate from the adjudicated cases that not even in this respect does the public corporation enjoy equality before the law.

¹⁸ 10 Barbour (N. Y.) 223. 1850.

concerned, is that the only material part of the argument of the court was contained in the following declaration:

The only remaining inquiry is, whether the act of 1845 interferes with vested rights, so far as to require the court to determine its unconstitutionality. It excepts the rights of the city of New York to the established ferries. The plaintiff's counsel contend, that the only established ferry, at all events, was the Fulton ferry. This seems an unnatural construction. A better interpretation would be given by assuming that the legislature meant to include within the exception all ferries to which the corporation had title. This would except from its operation all existing ferries, and make the statute, in this respect, consistent with the vested rights.

In summing up the court concluded, among many points wholly beside the necessities of the decision, "that the act of May 14, 1845, does not, by its terms, embrace, but excepts the three existing ferries; and leaves them undisturbed, in the corporation." It was held by the court that the grant of a ferry license to the plaintiff Benson did, in point of fact, interfere with the city's rights and hence was, on the part of the commissioners, *ultra vires*. In other words, the decision asserted merely that the ferry commissioners had violated the law, and not that the law had impaired the obligation of the city's contract with the state. Hence the remarks of the court concerning the inviolability of the contract between the state and the corporation were clearly *dictum*.¹⁹

In an early Illinois case—the *County of Richland v. the County of Lawrence*²⁰—there is found an expression of opinion that gives support to the notion of a contractual relation between municipal corporations and the state. Thus the opinion declared:

¹⁹ This fact was pointed out by Judge Denio in the later case of *Darlington v. The Mayor*, 31 N. Y. 164 (1865) at page 203—a case which, unlike the Benson case, reached the highest court of the state. It ought to be said, however, that in the Darlington case the learned judge approved in part the opinion expressed in the Benson case in respect to the existence of a contractual relation between the city and the state in the matter of ferry franchises. But the opinion thus expressed was confessedly *dictum* also. Indeed it could scarcely have been otherwise, for the case arose over an act of the legislature that made the city of New York liable in damages for injuries resulting from the failure of the city to suppress a mob or riot. The question of the contract rights of the city was only remotely, if at all, connected with the decision concerning the validity of the act. See also the opinion expressed in *Davidson v. The Mayor*, 27 How. Pr. (N. Y.) 342 (1864), where the validity of the same statute was under review. It is difficult to escape the conviction of the utter irrelevance either of the contract clause or the due process of law clause as applied to the statute in question; for only by a highly strained construction could either of these clauses be set up to defeat a liability created by law solely because of the source of the title to property against which a judgment, under such liability, *might* be executed. Certainly no private person, possessed of property by title from the government, could assert that the execution upon such property of an otherwise valid judgment against him would impair the obligation of his contract with the government or deprive him of property without due process of law.

²⁰ 12 Ill. 1. 1850.

That the state may make a contract with, or a grant to a municipal corporation, which it could not subsequently impair or resume, is not denied; but in such case, the corporation is to be regarded as a private company. A grant may be made to a public corporation for purposes of private advantage, and, although the public may also derive a common benefit therefrom, yet the corporation stands on the same footing as respects such a grant, as would any body of persons upon whom like privileges were conferred.

As bearing upon the significance of this declaration, the facts of this case are of importance. It arose over an act directing the county of Lawrence to pay to the county of Richland, which had been created out of a part of the first-named county, a portion of a certain appropriation previously made by the state to the original county for internal improvements. The court declared that the money in question did not belong to the county, that the grant constituted no contract between the state and the county, but "that the county was the mere agent of the state for the disbursement of a certain amount of money of the state as she directed." All that was germane to the decision of the case was that the statute in question did not constitute a contract; hence the assertion of the possibility of legislation impairing the obligation of contracts between the state and municipal corporations was clearly immaterial to the argument.²¹

A Wisconsin case sometimes cited in support of the applicability of the contract clause to the relation existing between municipal corporations and the state is that of *State v. Haben*.²² Here the city of Oshkosh had, under the authority of law levied and collected a tax for the construction of a high school building. Subsequently the legislature directed that a portion of the money so collected be used for the purchase of a site for a normal school in the city, which school was to be under the management and control of a state board of normal school regents. Said the court, speaking through Chief Judge Dixon:

It is well settled as to all matters pertaining to vested rights of property, whether real or personal, and to the obligation of contracts, that municipal corporations are as much within the protection of the federal constitution as private individuals are. The legislature cannot divest a municipal corporation of its property without the consent of its inhabitants, nor impair the obligation of a contract entered into with or in behalf of such corporations.

²¹ In *Sangamon County v. City of Springfield*, 63 Ill. 66 (1872), the court, in sustaining a somewhat similar act ordering a division of county revenue between the county and the city, did not mention the matter of contract obligation, but declared broadly: "A county is a public corporation, which exists only for public purposes. . . . When, therefore, the legislature directs the application of the revenue on deposit in the treasury to a particular purpose, or its payment to any party, a duty is imposed, and an obligation created upon the county."

²² 22 Wis. 660. 1868.

So far as the matter of contract obligation was concerned it may well be asked: what, if any, contract was here under review? Surely the court did not mean to imply the grant of the power to levy a tax for high school purposes constituted a contract which could not be revoked or altered by subsequent legislation. Yet this is the only element of the contract idea that can even remotely be conceived to have entered into the situation. The remaining portion of the opinion discarded all mention of contract obligation and argued against the authority of the legislature to take property from the city for a state purpose by the imposition of a tax. This is a question wholly unrelated to the inviolability of contract; and, in consequence it seems not unreasonable to conclude that the above quoted expressions in respect to the impairment of contract obligations were merely general in character and had no specific relation to the case at bar.

A case presenting some points of similarity with the Wisconsin case just noted was that of *Dubuque v. Illinois Central Railroad Co.*²³ And here, too, Judge Beck, who rendered the principal opinion, indulged in expressions of opinion which have sometimes been cited in support of the doctrine of the inviolability of contracts between municipal corporations and the state. Thus at one point he declared:

A municipal corporation, though a public and political institution, deriving its life and powers from the state, possesses a private and proprietary character and, as such, may acquire and hold property by the same constitutional guarantees that extend over natural persons, and the restriction upon legislative action impairing the obligation of contracts preserves those made with it. Rights held by it in its last named character are beyond legislative control and interference.

This case arose over an act of the legislature of Iowa which, subsequent to the levy by the city of Dubuque of a valid²⁴ tax upon the property of the railroad in the city but prior to the collection of the tax, released the railroad from any obligation to pay such tax even though the levy had been already made. Two points of importance ought to be noted in connection with the decision of the case. In the first place, Judge Beck himself expressly declared that the contract which he held to have been voided by the act was not a contract between the city and the state but between the city and the railroad company. He said:

The contract impaired by the statute in question is not a contract between the state and the city, embodied in the laws creating and conferring power upon the latter, but the obligation resting upon the defendant to pay the taxes in suit. The case is this: The plaintiff is created by the state, and endowed with the power to levy taxes. It becomes, by this legislation, an artificial person, capable of making contracts within the scope of its corporate powers, and enforcing its rights thereunder. In

²³ 39 Ia. 56. 1874.

²⁴ Validity sustained in *Dunleith, etc. Co. v. Dubuque*, 32 Ia. 427. 1871.

the lawful exercise of its powers it levies the taxes in suit. The law raises an implied contract, binding the defendant to pay these taxes. This is the contract which is impaired.

Whatever may be thought of the soundness of this reasoning, it is evident that the learned judge did not have in mind the conception of a contractual relation between the state and the municipal corporation, and that whatever he may be construed to have said in respect to the inviolability of such contracts was wholly beside the issue of the case at bar.

In the second place, it must be noted that in this case one judge dissented, while neither of the two judges who concurred in the judgment of invalidity that was rendered expressed any opinion concerning the vested rights of the city to collect the taxes in question, but held the law to be invalid as being in conflict with a specific provision of the state constitution relating to the subject of taxation. It cannot by the remotest possibility be said, therefore, that the case sustains the principle of the inviolability of contract between the city and the state.

In two California cases²⁵ opinions have been expressed to the effect that the legislature has full power over the affairs and property of municipal corporations except that it may not impair the obligation of a contract. In neither of these cases, however, was the expression in any sense germane to the argument employed by the court, for in neither case was the contention made that any contract had been violated. Moreover, it is not clear, in any view of the matter, but that the expressions as they appear in these cases referred to contracts between the city and third parties rather than to contracts between the city and the state.

Of similar irrelevance are the opinions expressed in *Gutzweller v. People*²⁶ and the *People v. Morris*,²⁷ where legislative enactments revoking the charter authority of municipal corporations to issue licenses for the sale of intoxicating liquors were attacked on the ground that such legislation impaired "vested rights." In neither case was the invalidity of the enactment sustained; nor was the corporation made a party to the suit; nor was it asserted that the right to issue licenses was vested in the city, but rather that the right to have a license issued was vested in third parties by reason of the provisions of the municipal charters.

Certain other cases have occasionally been cited in point,²⁸ but upon examination it will be found that, to whatever extent the contract rights of cities were under discussion in these cases, reference was had to the

²⁵ *Sinton v. Ashbury*, 41 Cal. 525. 1871. *San Francisco v. Canavan*, 42 Cal. 541. 1872.

²⁶ 14 Ill. 142. 1852.

²⁷ 13 Wend. (N. Y.) 325. 1835.

²⁸ *People v. O'Brien*, 111 N. Y. 1; *Rader v. Southeasterly Road District*, 36 N. J. L. 273; *List v. Wheeling*, 7 W. Va. 501; *Boyd v. Chambers*, 78 Ky. 140; *Helena Consol. Water Co. v. Steele*, 20 Mont. 1; *Indianapolis v. Indianapolis Gas-Light & Coke Co.*, 66 Ind. 396.

contracts of municipal corporations with private parties and not to those with the state.

Over against the few state cases herein noted, in which laws have been voided because of their impairment of a contractual obligation existing between the city and the state, and over against the few others in which the assertion of the existence of such relation has been in the nature of judicial *dictum*, may be set numerous broad declarations by state courts to the contrary—declarations like that of Mr. Justice Clifford quoted above. A few instances will suffice to illustrate the tenor of these opinions.

In *St. Louis v. Shields* ²⁹ the validity of a law prohibiting the city from collecting wharfage was sustained in spite of the fact that the city had been expressly authorized to maintain and improve its wharves, to incur a large debt for such improvement, and to support the undertaking both by the collection of wharfage and the levy of a harbor tax. The court, speaking through Judge Wagner, said:

In the passage of the law [providing for harbor improvement] it cannot be pretended that the state made a direct and irrevocable contract with the city. The city possesses no power which is not delegated by the sovereign authority of the state. The state, in the enactment of the law, granted to the city a privilege, but it did not divest itself of the power of repealing or withholding that privilege at pleasure. The city can only raise money and apply it to a particular purpose by virtue of delegated authority, and the same authority that grants the power may alter the law and direct it to a different object.³⁰

In 1850 the legislature of Louisiana passed an act providing for the consolidation of Lafayette and certain other adjacent corporations with the city of New Orleans. By an act of 1852 it was stipulated that, while the debt of each corporation was to be assumed by the city at large, it was to be liquidated by taxes imposed upon the inhabitants of the respective districts incorporated into the city. Six years later an act was passed requiring that taxes should be uniform throughout the city. In upholding the validity of this latter act, attacked upon the ground that it impaired the obligation of a contract created by the earlier acts, the court declared:³¹

²⁹ 52 Mo. 351. 1873.

³⁰ The court intimated, however, that if the suit had been instituted by the holders of the harbor bonds that had been issued, and if the insufficiency of the fund for the payment of interest and principle on such bonds had been demonstrated, the law might have been invalidated because of an impairment of the obligation of the bondholders' contract with the city. This is in line with the opinion rendered in *Von Hoffman v. Quincy*, 4 Wall. 535. 1866. On the other hand, the decision of the Missouri court in the *St. Louis* case is quite in line with that of *Gilman v. City of Sheboygan*, 2 Black, 510. 1862.

³¹ *Layton v. New Orleans*, 12 La. Ann. 515. 1857.

It may be pertinently asked if there was a contract with whom was it made? Not with the city of Lafayette, for the legislature had the power until it became incorporated with the city of New Orleans and was finally protected as a part of the same by the constitution of 1852, to abolish it altogether.

There was no contract made with the individuals comprising the city of Lafayette, for they did not intervene in the proceeding, nor give an equivalent, nor stipulate in their favor that the state should surrender its power of taxation.

As it respects municipal corporations, it has always been held that the law of the state creating them and conferring upon their officers a part of the sovereign authority as mandataries of the government is not a contract, and, as a consequence, that the legislature may modify such act of incorporation at its pleasure.

In an earlier Louisiana case³² in which there was sustained the constitutionality of an act which admitted the parish of Bossier to a share in the profits and management of a ferry the right to establish which had been previously granted exclusively to the city of Shreveport, the court had said:

The questions as to the violation of contracts or vested rights under the constitution of the United States, or of the state, does not arise. Those questions grow entirely out of the violation of contracts with, or vested rights of individuals or private corporations established for individual profit. . . . The laws which establish and regulate municipal corporations are not contracts, but ordinary acts of legislation [and the] powers they confer are nothing more than mandates of the sovereign power. . . . Those laws may be repealed or altered at the will of the legislature; except so far as the repeal or change may affect the rights of third parties acquired under them.

The privilege of establishing ferries and deriving revenues therefrom, was given by a law which the legislature, in passing, did not deprive themselves by express or implied contract of the power of repealing or altering it [sic] at will.

Of similar purport with the opinion spoken in Louisiana ferry case was the *dictum* expressed by the supreme court of Texas in the case of the *City of Laredo v. Martin*.³³ Here the title of the city to a ferry franchise, granted at its foundation more than a century before and confirmed by its charter of 1848, was drawn into question. The appellees, Martin and others, had been granted a license to operate a ferry by the county court of Webb County, under the authority of a general law of the state regulating the establishment of ferries. The invalidity of their license was sustained by the court on the ground that their title to the land in question was void; but the court also said:

It may be true that a city cannot claim a vested interest or title to a public franchise free from and independent of the right of the state to

³² *Police Jury of Bossier v. Shreveport*, 5 La. Ann. 661. 1850.

³³ 52 Tex. 548. 1880.

control, modify, or abrogate it. But while the power of the state to divest the city of its ferry franchise, if it see fit to do so, might not be disputed (*Williams v. Davidson*, 43 Tex. 35; *Hudson v. Cuero Land Co.*, 47 Tex. 56), yet it will not be held to have been done by mere implication, but it must plainly appear that this was its purpose and intent before it will be held to have done so.

Again, in an early Illinois case—*Trustees v. Tatum*³⁴—the court was called upon to consider the character of a municipal corporation's "right" in a ferry franchise. In 1818 the sixteenth section of every township in the state had been set apart for school purposes. In one such section a ferry had been established; and in 1833 the legislature had recognized this ferry and had empowered the court of county commissioners to renew the ferry franchise to the school trustees or to the lessee of section sixteen. In 1842 the school commissioner, under statutory authority, sold the whole section except two lots which were retained for ferry purposes. A year later the legislature *required* him to sell these lots also and provided that the purchaser might, under certain conditions to be complied with, forever enjoy the ferry rights. The township complained that its property was by this act appropriated to private use. The court refused to sustain the contention upon the ground that the act did not appropriate the property in question but merely ordered property in the land to be turned into money. But it was further declared that "the township had no rights in a ferry franchise, that were not subject to the entire control of the legislature." This was true not only because the legislature had not, in the opinion of the court, expressly granted such a franchise to the township, but also because, even if the franchise had been granted, "it was competent for the legislature to revoke it." "A grant of this character," declared the court, "may at any time be resumed by the state. It is not like the case of a grant of a franchise to an individual, or a private corporation."

So in the *Board of Education v. Aberdeen*,³⁵ where the authority of the legislature to change the use to which the money received by a city from liquor licenses should be devoted was sustained, the court declared:

It is quite well settled that a municipal charter is not a contract in the sense of the federal constitution. . . . The charter does not create a contract between the municipality and the state, and it has not such a proprietary interest in money authorized to be raised by its charter as would prevent a subsequent legislature from giving another direction to such money. . . . The rule is subject to the limitation that, under authority conferred by the charter, the municipality may come under such duty or engagements with third parties as to create the sanctity of a contract, so that a subsequent legislature will be restrained in its power so far as that it cannot impair rights which have become perfected.

³⁴ 13 Ill. 27. 1851.

³⁵ 56 Miss. 518. 1879.

In the case of the *People v. Vanderbilt*,³⁶ Judge Selden, with whom one other judge concurred, held that an act of the legislature of New York which transferred to the city of New York "all the title of the people of this State" to the land and land under water in front of and adjoining Battery Park for the specified purpose of creating a public walk and erecting public buildings did not create a contract which the legislature might not subsequently impair by establishing a bulk head line without respect to the grant. This opinion, however, was merely *dictum*, for the municipal ordinance under consideration was held invalid on other grounds, and the opinion of Judge Balcom, with whom two other judges concurred, did not touch upon the question of contract obligation.

These instances are sufficient to show that the assertion of the non-existence of anything like a contractual relation between the city and the state has been made without qualification of any kind in many jurisdictions. Certain conclusions of importance remain to be drawn from this brief review of federal and state cases in which opinions have been expressed regarding the protection afforded the city against the legislature by reason of the principle of the inviolability of contracts.

In consideration of the amount of litigation that has arisen in the United States out of efforts on the part of municipal corporations to protect themselves against legislative interference with their "rights," it is certainly significant that so few laws have been voided upon the ground that the city has enjoyed, even in its "private and proprietary interests," a right of inviolability of contract with the state. In no single instance has the supreme court of the United States declared an act void upon this ground; and a diligent search among many cases cited in point has revealed only three state cases that have so declared acts to be invalid. The two cases in which the supreme court may be said to have implied that the contract clause might be invoked by the city to protect its "private or proprietary rights and interests" against the state cannot be said to have established this principle. Nor can much weight be attached to the *dicta* of state courts to the same effect. Moreover, it is a matter of no difficulty to cite innumerable expressions of judicial opinion, both federal and state, in which, without any qualification in respect to the city's "private and proprietary rights and interests," the notion of any contractual relation whatever arising between the city and the state out of the charter or other statutory grant of rights, powers, franchises, or property is utterly repudiated. On the whole, therefore, it must be admitted that, however salutary and beneficial might be the

³⁶ 26 N. Y. 287. 1863. See also *People v. Havemeyer*, 47 How. Pr. (N. Y.) 494 (1874), where, however, the contract under discussion was one which it was claimed arose, under the law, between the city and the railroad, rather than between the city and the state.

application of the clause in question to the rights of municipal corporations, it has in fact received very little application.

It is evident, of course, that, whether or not they have employed the phrase, none of the courts have intended to assert that municipal corporations enjoy an inviolability of contract in anything more than their "private or proprietary rights and interests." But the adjudicated cases leave us with a very hazy conception of what these rights and interests may be. Thus the right to enjoy the free use of municipal water in return for the exemption of the water works company from taxation is apparently not a private or proprietary right, although it is difficult to see just why the city in such a relation should be regarded as the agent of the state. Neither is the right to enjoy exemption from taxation upon property used for a municipal water works, although in most branches of the law of municipal corporations the city in owning and operating such an undertaking is regarded as acting in its private or local capacity. Neither is the right to the enjoyment of an exclusive ferry franchise (under the doctrine of the supreme courts of the United States, Louisiana, Illinois, and Texas, but not according to judicial *dictum* in New York), although it is inconceivable that the courts would, in the absence of any reserved right, permit the legislature to violate the specific terms of such a grant to a private person or corporation.³⁷ Neither is the right to collect wharfage in support of an expensive municipal undertaking, although if a private person or corporation were seized of title to property in a wharf, certainly no one would contend that the legislature could prohibit the collection of wharfage. Moreover, while the rule is laid down in Missouri that the municipal corporation enjoys no revenue right in its wharves, the right to an estate in wharf property, which estate was created by the legislature, is in California a private and proprietary right resting upon a contractual foundation. In Illinois the voluntary grant of money to a municipal corporation for internal improvements does not create a vested contractual right; but in New Hampshire the voluntary grant of money to such a corporation as a reimbursement for military expenses—in which, of a surety, the corporation was acting as the agent of the state,³⁸—does create such a right.

In other words, if the city enjoys a contractual relation with the state that is inviolable so far as its "private and proprietary rights and interests" are concerned, it is manifest that these rights are not always identical with those which a private would enjoy inviolate under similar statutory grants; and it is likewise manifest that from the adjudicated cases

³⁷ The case of *Charles River Bridge v. Warren Bridge*, 11 Peters 549 (1837), may seem to be to the contrary; but the decision of that case simply rested upon the strict construction that was placed by the court on the rights and implications of the franchise that was granted.

³⁸ See Professor Goodnow's comments, *Municipal Home Rule*, 204, 205.

we can draw no very concrete conclusions in respect to what "private or proprietary rights and interests" of the municipal corporation are protected against legislative impairment.

From this review of the cases in point certain other observations of value might be made in regard to the difficulties and dangers that inhere in the recognition of the principles of contract as between the city and the state, and in regard to certain elements of distinction between rights of property and rights of contract as applied to the situation of municipal corporations. But this would lead us into an extended discussion of all that is involved in the contractual idea, as well as into that still somewhat shadowy valley of the law where the precise relation between the guarantee of contract inviolability and the guarantee of due process of law lies wrapped in nebulous uncertainty. Into these aspects of the subject we cannot here go.

THE APPOINTMENT AND SELECTION OF GOVERNMENT EXPERTS

BY CLYDE LYNDON KING, PH.D.

University of Pennsylvania

IF GOVERNMENT is to be efficient, if what the people want done is to be done as well as possible at the least expense consistent with well doing, there must be an ever-increasing use of technical experts in the government service. The question as to how these experts are to be selected and appointed has been and is, therefore, of prime economic and social importance.

The following general principles are fundamental in the selection and appointment of such experts: (1) such experts must have a sufficient equipment in mental stock and training to enable them to cope with their special problems without undue waste of time and the public moneys; (2) there is like need for experience and common sense to give practicability to their plans, methods and suggestions; (3) of special importance is a high sense of social and public responsibility; (4) to prevent inbreeding and to give comprehensiveness of vision, there must be a national supply of experts available to each and every kind of governmental service; (5) to get results, to prevent duplication, to secure economy in government, there must be unity and co-operation among all the officials of the city, the state or the nation; (6) the work, methods and results of experts and other government officials must be checked up with a view toward creating national standards in efficiency and competence.

It is the purpose of this article to test current civil service practices in the selection and appointment of experts to see to what extent these six principles are being carried out in practice. This article is limited, it must be remembered, to the employment and choice of experts and does not apply to the lower grades of employees.

Civil service commissions were originally created, not to choose experts, but to prevent government offices from being exploited for party ends. Since their creation, however, definite advances of untold importance to efficiency in government have been made. Scientific management has developed principles for private business that must now be adapted to public business. Bureaus of municipal research have been critical of government methods, while everywhere bureaus of economy and efficiency are endeavoring to co-ordinate government activities and to secure higher standards of competence and efficiency.

It has been questioned whether civil service commissions have sufficiently adapted themselves to twentieth century needs. At least there is no longer any doubt that the watch-dog type of civil service must give way to a constructive co-operation with officials to secure high grade experts

who are at once both efficient and responsive. Otherwise civil service commissions should and will be supplanted by a central employing agency with the point of view of the new bureaus of economy and efficiency.

I. SECURING EQUIPMENT AND TRAINING

The training and preparation prerequisite to expert service can be ferreted out to a certain extent by written examinations. But civil service in the past has been based on two assumptions that may well be questioned: first, that a written examination suffices for determining training and competence; and second, that any civil service commission, be it city, state or national, can in itself have the grasp of details necessary for setting the examination and grading the papers for all classes of technical experts. In one year seven examiners of the Philadelphia Civil Service Commission read the papers of *more than 11,000 candidates!* *And these same men largely set the questions for these examinations.* Now, on the face of it, no set of men, however long and careful their training, can become specialists in every phase of expert work demanded in modern governmental activities.

Thus to get questions that will really test the preparation and mental stock of technical experts, the practice has been followed and should be extended of appointing special examiners. The New York, Wisconsin, Massachusetts, Philadelphia and Chicago commissions have called in as examiners men of recognized standing as specialists. A larger use can, no doubt, and should be made of nearby university faculties. University professors are of little use in their own specialties and can be of no great value to their students unless they are competent and willing to be of practical assistance to public officials.

Institutions arise to meet specific human needs. Civil service has met one such need; it has freed government from party spoils. It has developed a social feeling that automatically recoils at the prostitution of public office to party ends. Can it go on from this now to develop as vital an ideal—that the expert must have an ever larger place in government?

By extending the use of special examiners, civil service commissions are to that extent furthering the doctrine, so at variance with the Jack-of-all-trades philosophy of the Jacksonian era, that governmental work requires the specialist.

Emphasis upon choosing experts has characterized and from the very nature of their work will no doubt continue to characterize the men engaged in bureaus of economy and efficiency and in bureaus of municipal research; their social and educational heritage is that of the expert, their point of view essentially at variance with the "Jack-of-all-trades" doctrine. To be of greatest civic usefulness, a like point of view is essential to virile civil service.

II. SECURING PRACTICABILITY AND POWER TO GET RESULTS

But written examinations alone are of little value in selecting experts. Under positions at all well paid almost any applicant will now have or can soon acquire the requisite academic knowledge. But academic knowledge does not make experts. No class-room work can alone possibly translate a student into an expert. The expert must have sense as well as science; his plans and suggestions must be practical, while being constructive and far-seeing. To get these latter qualifications, the written test has, therefore, been supplemented by other requirements. The ratio that these other requirements bear to the written test is summed up in the relative "weights" attached to each.

Typical examples of the weights that have been given of late by typical civil service commissions are given in the appended footnote.¹

¹ The Chicago civil service commission gives the following weights: to enter the city's medical service; special subjects, 4; education, spelling and penmanship, 2; experience, 3; report, 1 (subject to be assigned by commission); for the position of chief engineer (board of education), special subject, 5; experience, 3; arithmetic (mathematics), 1; report, 1. For the position of auditor of the water department, at a salary of \$2,000, the civil service commission of Kansas City, Missouri, recently set the following weights: training and experience, 4; theory in the practice of accounting, 4; spelling, 1; arithmetic, 1. For the position of food inspector, at a salary of \$1,380, the same commission states the following weights: training and experience, 4; knowledge of food laws and of the city's ordinances relating to foods, 2; practical questions, 4.

For the position of sanitary engineer, at a salary of \$5,000, the New York civil service commission, in an examination held July 15 and 29, 1913, fixed upon the following: subjects and weights of the examination are as follows: "Technical, 5; experience, 5. Seventy-five per cent is required on the technical paper and 70 per cent on experience. Candidates receiving less than 70 per cent on the experience paper will not be summoned for the technical examination. Candidates should have a *thorough* knowledge of sanitary engineering, the relation of street cleaning and refuse collection to the health of the inhabitants of municipalities, the best modern methods of handling and disposal of refuse, the efficient organization and control of large groups of municipal employees and the successful carrying out of large business undertakings. Candidates should have a *general* knowledge of laboratory investigations, civil engineering relating to pavement construction and mechanical engineering relating to the methods of handling refuse. The experience of candidates should include a broad, general education, extensive reading and study, and travel and observations in this and other countries.

For the position of dentist, the same commission, in its examinations held on July 22 and August 5, 1913, prescribed the following: "The subjects and weights of the examination are: experience, 4; technical, 6. Seventy-five per cent required on the technical paper and 70 per cent on the entire examination. There are eleven vacancies in the department of health; ten at \$1,200 and one at \$1,500 per annum. The minimum age is 21 years. The salary is \$1,200 to \$1,500."

For the position of resident physician, in the examinations held on July 30 and August 13, 1913, the following rule appeared: "The subjects and weights of the examination are: technical, 6; experience, 4. Seventy-five per cent required on the technical and 70 per cent on all."

The Philadelphia civil service commission in recent tests has set the following weights: (a) for the position of chief engineer of city transit, at a salary of \$6,000 per year; training

An examination of these weights will show that an increasingly large percentage of attention is being given (1) to experience, (2) to theses and (3) to the oral examination.

In the examination for the position of chief inspector of meters held by the civil service commission of Philadelphia in May, 1913, the applicant was required to present a thesis

outlining what you believe should be the organization of a properly controlled bureau of gas in a city of over a million inhabitants. Write the thesis quite without reference to local conditions in Philadelphia. Divide your thesis into two parts: First, (a) discussion of the operating end of the work. Under this heading discuss: first, the inspection or control of the outside work; and second, recording or control of the inside work. (Not over 1,200 words.) (b) Discuss the technical end of the work under two divisions: First, discuss the best methods of technical inspection of the present day, both physical and chemical. (Not over 1,200 words.) Second, propose one or more researches which would be practical for a bureau of gas to undertake, which should advance the state of the lighting of the city. (Not over 600 words.) This gives three thousand words for the total thesis. This exercise is intended to test the competitor's comprehension of and resourcefulness and originality in solving the problems which come before a bureau of gas in a great city, as well as his ability, logically and clearly, to express his views.

The August examination set the thesis subject as follows:

The modern practice of illuminating engineering, with a criticism of the above mentioned practice, which criticism is based on personal experience, or on the research work of others. This exercise is intended to test the competitor's comprehension of and resourcefulness and originality in covering in a short thesis this broad subject, as well as his ability logically and clearly to present his views. It is suggested that this thesis include not over 3,000 words and preferably typewritten. The ability of the competitor to express himself logically and clearly in a less number of words will be considered.

The value of the thesis in selecting experts cannot be over stated. Such a test soon gets the candidate down to his "muddle"; where he has

and experience, 6; judgment, tact and personality (oral), 4; (b) for architect, department of public works: training and experience, 30; executed work, 30; personal qualifications other than the above (oral), 40; (c) for district surveyor and regulator, department of public works, training and experience, 3; thesis, 4; assembled written and oral tests, 3; (d) for secretary of committee on comprehensive plans: Experience, 40; thesis, 30; judgment, tact and personal fitness (oral), 30; (e) for chief examiner and assistant examiner: education, training and experience, 4; thesis, 3; judgment, tact and personal fitness (oral), 4; (f) for the position of chief inspector of meters in the bureau of gas, at a salary of \$5,000, the commission for its examination on May 27, 1913, issued the following weights: experience, 3; thesis, 3; written examination, 2; oral examination, 2. This examination did not secure men of satisfactory standard and so another examination was held in August when the following weights were assigned: experience, 4; thesis, 2; written examination, 1; oral examination, 3.

thought clearly he will write clearly. *Read by other experts*, the thesis becomes a goodly test both as to the applicant's knowledge and as to his sense of what can and should be accomplished. In extending its use, civil service commissions are revealing an adaptability that savors well of increasing public usefulness. The oral and written examination can make sure that the thesis is the applicant's own work.

"Experience" is likewise receiving emphasis. Where ballast and practicability are needed this is a good test, but it should not be overworked. Too great emphasis on experience limits choice to those already in official positions or to older persons and thus tends to an inbreeding and static outlook inimicable to the public service.

III. PUBLIC SERVICE STANDARDS

There is a third factor in the qualifications of government experts of far greater significance than their technical information or their practical experience, and that is their sense of public service and official responsibility. The work of experts in government service invariably affects private profit—for self, for friends, for bosses, for private interests. Without a high sense of public honor and social service, the expert is worse than valueless; he is a positive menace. No matter what the technical, practical or academic qualifications of a superintendent of lighting may be, for instance, he becomes a malefactor of the worst type when he allows tests to be conducted in connivance with the appointees of a lighting corporation or when he becomes too deeply imbued with the corporation point of view to appreciate the public's needs and rights. The best asset of private greed is control of the expert in government service. This fact certain interests know full well and hence coach their employees for such positions; flood civil service examinations with applicants of their own choosing; use their influence to limit the choice to local men because upon them powerful social and financial influence can be brought to bear; use their influence in partisan and governmental circles to get only the "safe and sane" appointed; and, then, failing in these methods, they may try at least to get hold of some subordinate employee who will convey to the interested parties secret information as to the expert's methods and plans.

The expert, to be of public value, must be courageous, and, when need be, militantly honest. He must be ready to lose his position in preference to sacrificing his integrity. In other words, he must be imbued with a high sense of social service and official responsibility.

Thus far tests in this field have been limited to tests of character. Thus the New York civil service commission, whose practice seems typical, makes a "searching investigation as to the character of candidates for high grade technical positions, but it does not attempt to give a comparative rating for their sense of practical responsibility and ethical standards." It is just this rating, however, that is most vital.

The Philadelphia civil service commission has recently attempted to test the applicant's sense of public responsibility and his ethical standards. The candidate is given an oral examination before the board of examiners, who are accustomed to sizing up men. These examiners not only render their judgment upon the applicant's appearance and manner, but also question him as to his ideas of responsibility and ethics and watch his bearing and attitude while responding. For example, in the recent examination for district surveyor and regulator, one of the oral questions was as follows: "You as district surveyor have information that a sewage disposal plant is to be located at a certain point. A friend of yours informs you that he intends to buy land in that vicinity. The knowledge that the sewage plant is to be built of course has not been made public. What advice or suggestions would you give him?" Many an applicant by his answer revealed indifference as to what lengths he would go in giving to a friend tips as to official plans. In the notice for the examination of gas inspector, in August, 1913, the commission set aside three points for the oral examination. Through this oral examination it endeavored not only to size up the executive qualifications of the applicant and to secure the service of men able to represent the city in its negotiations with competent men and public service corporations, but also to secure a man "of high civic purpose," and one "*who recognizes obligations to the community other than those he owes to himself.*" When there is no oral examination, as is the practice in too many civil service commissions, no such sizing up of men can be made.

The applicant's standards as to official and public responsibility can also be judged in other ways. Thus he can be required to submit any books he may have written or articles he has published. His thesis should also reveal his point of view. If in these he appears apologetic, there will be sufficient grounds for considering that his sense of official responsibility is inadequate for the service needed. The learned, technical societies to which he belongs, and his record therein, are also important as weighing the pressure he would feel to keep his professional standing high. Of still greater significance are the public committees he has been a member of, and any other ways he has been of service to his community. Questions as to the advice he would give under stated conditions will reveal what he has thought about and wherein he is informed.

These various avenues can all be used to judge a man's social sense and the degree to which he will put the public's interests above his own and above those of corporations or private concerns. By extending diligence here, civil service commissions can help create a high type of expert, appreciative of public interests and social needs.

And this is the vital prerequisite to public service.

IV. A NATIONAL SUPPLY OF EXPERTS

The general public, our city officials, and our civil service commissions have not as yet fully recognized the importance of securing outside experts and of having a national supply of experts available to every governmental agency.

The need for securing outside experts is fourfold. The district surveyor of Philadelphia is practically a city planner for new residential districts. There are but few American institutions where city planners can be adequately trained. If the city of Philadelphia is to prevent inbreeding, if she is to get the best in suggestions from other sources, some of its district surveyors must necessarily be chosen from the outside. A second reason for the choice of outside experts is the freedom of such experts from local political and social pressure. Chicago, for instance, was unable for many years to get from inside its limits any virile expert criticism of its transit plans. Many cities of late, because of the pressure that could be brought to bear through social, industrial and educational channels upon their own local experts, have had to appeal to experts elsewhere for competent criticism of the demands and plans of its public service corporations. A third reason for securing outside experts is the ease with which private interests and public service corporations can "pack" civil service examinations with their own men and thus get upon the eligible list only men subservient to their wishes and needs. And finally, the city, or state, to get the best service obtainable must often go outside its boundaries. No one city or state can ever develop within its own limits every kind of technical expert; government is now far too complex.

A study of present day standards and laws as to residence reveals much to be desired. A typical point of view was expressed only last year when the grand jury of Philadelphia brought in the following report as to its views of the courageous attitude taken by Mayor Blankenburg and especially his director of public works, Morris L. Cooke, in securing outside services:

The grand jury inquest, says the report, views with emphatic disapprobation the introduction of a new and disloyal policy by Mayor Blankenburg's administration in contravention of the spirit and the letter of the city ordinance of importing aliens and investing them with important municipal positions to the proscription and the wounding of the pride of our own citizens.

This grand jury regards the permanent employment of aliens, however well equipped they may be, as a direct and humiliating reflection upon the intelligence, the capacity, the technical and executive ability of our own citizens, and as a slur upon our magnificent institutions of learning.

While this narrow provincialism seems not so dominant elsewhere, yet it is, no doubt, sufficiently prevalent to warrant courageous action and poignant publicity from all interested in real civic advance.

An ordinance of the Philadelphia councils does require that all city employees reside within the city limits during their incumbency. In at least one instance, the Pennsylvania statutes require that the appointee reside in Pennsylvania "for a period of at least one year preceding his appointment." Philadelphia's civil service commission's rule upon this point is:

No person shall be examined who is not a citizen of the United States and a resident of the city of Philadelphia: provided, however, That the commission may waive these requirements in connection with particular examinations because of the technical or professional character of the position to be filled, or because of the difficulty of securing applicants who are citizens of the United States and residents of the city of Philadelphia.

The Commission waived this requirement that the applicant be a resident of the city in but *three-tenths of 1 per cent* of the 1,238 appointments made during the year 1912.²

The rules of the civil service commission of Chicago, of Boston, of Kansas City, Missouri, and other cities, provide that the rule opening positions to residents only may be waived when in the opinion of the board the needs of the public service may so require, or when the examinations are for positions requiring technical, professional or scientific knowledge or manual skill of a high order. The recently adopted charter of Cleveland unhappily provides that all civil service applicants there must be residents of that relatively small community. Even New York City's ordinance requirement is more liberal.³ The Wisconsin state civil service commission has tried repeatedly to amend the statute requiring residence within the state.

Our cities are still all too provincial in their residence qualifications; and their civil service commissions have not been courageous enough in trying to undermine this provincialism.

The contrast with the residence requirements and those made by English and German cities is most illuminating. In English cities positions are open to the competent, regardless of residence or citizenship. Not only are the positions open to applicants everywhere, but councils

² The only cases in which this rule has been waived by the commission were: chief examiner, of the civil service commission which was open to the entire United States; chief inspector of meters, bureau of gas, open to the entire United States; extra examiner, civil service commission, open to the state of Pennsylvania; and farmer, bureau of charities, open to the state of Pennsylvania.

³ "No person not a citizen and an actual resident and dweller in good faith in the state of New York, shall be eligible to appointment or employment under the city of New York, except for work to be performed for the city of New York outside the state of New York, or for temporary employment requiring peculiar or exceptional qualifications, where evidence in writing is furnished that the work cannot be well done by any actual resident of this state. The consent of the Mayor must be obtained in such a case."

usually authorize the town clerk to advertise widely for applicants. Thus, in twelve issues of the *Municipal Journal*, the leading municipal paper of England, there were 485 advertisements for positions to be filled.⁴

In Germany also the qualifications never include residence or citizenship. Here also the administrative board advertises the fact that applications for appointment to the office will be received and considered. Examinations in Germany, as in England, are qualifying and not competitive. In Berlin recently, thirty applicants appeared in answer to an advertisement⁵ for mayor of the city.

If there are to be nation-wide experts, the practice must be extended of holding what is known as "non-assembled" examinations. Many leading commissions, including the civil service commission of the city of New York, do not hold such examinations. The result is the barring out of candidates elsewhere regardless of residence rules. The present civil service commission of Philadelphia has filled a long list of positions by non-assembled examinations.⁶

⁴A typical advertisement, taken from the same journal, is as follows: "The Council invite applications for the office of MEDICAL OFFICER OF HEALTH, and SCHOOL MEDICAL OFFICER, for the Urban District of Tottenham, from legally qualified and registered Medical Practitioners as required by the Local Government Act, 1888, Salary £600 per annum, apportioned as follows:

As Medical Officer of Health and School Medical Officer, supervising arrangements for the Medical Inspection of School children	500
As School Medical Officer, actually inspecting Scholars	100

£600

⁵A typical German advertisement translated from the "Gemeinde-Zeitung" reads:

"NOTICE

"The post of Syndikus in the Magistrat of this city has become vacant. The stipend is 6000 marks per year with an increase of 600 marks every three years until the maximum of 9000 marks is reached. The appointment is for life; and provision is made for a pension on retirement after long service, as well as for the granting of an annuity to the widow or orphans of a deceased incumbent of the post. The Syndikus is expected to preside in the Industrial and Mercantile Court (Gewerbe-und Kaufmannsgericht) and is intrusted with a general supervision over the legal affairs of the city. Candidates who have passed their second legal examination and who have had successful administrative experience are requested to submit applications accompanied by testimonials and other suitable documents to the city clerk before August 20.

"THE MAGISTRAT."

"Frankfort-on-the-Main,
July 17, 1906."

⁶ Chief engineer, department of city transit	\$6,000	per annum
Chief inspector of meters, bureau of gas	4,300	"
Architect, department of public works	4,000	"
District surveyor and regulator, department of public works	4,000	"
Secretary committee on comprehensive plans	2,500	"
Chief examiner civil service commission	2,400	"
Diagnostician and consultant, bureau of health	2,000	"
Assistant examiner civil service commission	1,800	"

In these non-assembled examinations applicants are frequently required to report for a local examination, only after qualifying for it. Thus the Philadelphia civil service commission's requirements as to the inspector of meters, above cited, provided that no applicant who fails to attain a rating of 70 per cent in experience and thesis, could take the written or oral examination. That is, six out of the ten points were determined before ever the applicant was required to report to the city for the test. Applicants are thus encouraged from all sections of the country. They naturally feel that since they are already safe on six of the ten points, it will be worth their time and trouble to try out on the remaining four points.

V. RESPONSIBILITY AND UNITY AMONG GOVERNMENTAL DEPARTMENTS

Scientific management has clearly established certain principles for business efficiency which are alike applicable to governmental efficiency: (1) to avoid all conflicts by placing responsibility so that there may be credit to whom credit is due, and (2) so to motivate employees that all "soldiering" may be done away with. In applying these principles to governmental positions, the director of public works of Philadelphia, Morris Llewellyn Cooke, issued a little pamphlet which read: "If you have any complaints to make, kindly write to the person named in the circular. If complaints do not receive prompt attention, then write to the director of the department." Then follows an alphabetical list of the things the average citizen would want to complain about, and the name of the responsible chief.

The department chief must be clearly held responsible. Responsibility cannot be fixed if he cannot choose his own expert. Soldiering must be done away with. No competent governmental chief will tolerate such a situation as has existed in a certain city familiar to the author where all the work done in a bureau whose total appropriation for salaries was \$10,000 was done by a man receiving a salary of \$750. Essential to efficiency is co-ordination in all the governmental departments. For instance, the city's health, clean streets, an efficient market policy, all require responsive, well correlated work. To secure such work there must be an esprit de corps among officials, born only of unity and a desire to succeed. This can never be attained where the responsible individual does not have the power to appoint and remove his subordinates.

Latitude to city officials in choosing their subordinates and experts has been secured in various ways. One way has been to make a long list of positions for which either no examination or only qualifying examinations are essential. Thus the newly adopted charter of Cleveland exempts from civil service tests, not only all officers elected by the people, but also the members of all boards or commissions appointed by the mayor, advisory boards appointed by the director of a department, the

secretary to the mayor and one secretary for each elective officer, director of a department, and for each board or commission appointed by the mayor, the clerk of the council, and such heads of divisions as the civil service commission shall from time to time, by rule, determine.

A second method for giving the appointing authority some latitude is to allow him to choose among the eligibles, occasionally four as in Pennsylvania, but usually three. In the oral tests of civil service examining boards the examiners themselves must use a large degree of judgment in making the applicant fit into just *their* ideas of what the position demands. This cannot be gotten away from. Either the *personal opinion of an examiner* or the *personal opinion of the responsible official* must determine the selection of the expert. To the author the opinion of the responsible official is the opinion to be desired. In Philadelphia of 785 appointments made from May 1, 1912, to November 15, 1912, No. 1 was chosen in 26 per cent of the cases; No. 2 in 24 per cent of the cases; No. 3 in 22 per cent, and in 27 per cent of the cases No. 4 was chosen. Or to sum it up the first men on the list was chosen in only about one-fourth the total number of cases. This the Philadelphia civil service commission feels is a direct blow at its authority and power; to the author, it is a tribute to the discretion used by the responsible official, a discretion essential to a responsive, efficient, co-ordinated government.

The third method of securing an expert that will work in harmony with the appointing authority is by conference between the official and the civil service commission and by asking the official to submit sample questions. Thus prior to every examination, the Philadelphia commission by letter asks the appointing authority for a statement setting forth the requirements which he would like to have met by the applicants. This statement is passed upon by the commission and its examiners, frequently after personal study of the particular position, the duties involved and the requirements that should be met. The statement furnished by the appointing officer thus modified is published in the announcement of the examination. The questions for the examination are prepared with this statement as a basis, and the experience of the applicants is rated with those requirements in view. Of course, the civil service commission assumes full responsibility for such statement of duties and requirements and makes use of it only after due investigation on its part. In other cities the custom is followed of asking the appointing authority to submit sample questions. These questions, of course, are not followed in their entirety, but are used as a basis for other questions.

Still another method of securing latitude to the appointing authority is to give him power to remove. The power and efficiency of the responsible government official could be broken down by no more direct method than limiting his power of removal or requiring a hearing to be given

before the civil service commission or other authority. This power Mr. Goethals made a prerequisite to his accepting the office of police commissioner in New York City. To be sure, if the removal is on the ground of political or religious charges, a hearing should be had, but if on any other grounds, the appointing authority's decision should stand. The proposed charter of Dayton, Ohio, makes the mistake of giving to any officer "who is suspended, reduced in rank, or dismissed from a department by the director of that department or the city manager," a public hearing before the civil service board.

A final method is by allowing provisional appointments and by exempting certain positions from examinations. There are 677 positions in the exempt class under civil service of New York. This is but 1 per cent of the 55,000 employees, serving under the jurisdiction of the commission.

VI. STANDARDIZATION OF EFFICIENCY

And finally there is needed standards, nation-wide standards, as to the character of service experts should perform. The Chicago civil service commission, through its efficiency bureau, has done much to forward just this method of advancing governmental effectiveness. Greater work, the real effective work, has been done, however, by bureaus of economy and efficiency and bureaus of municipal research. Nation-wide publicity of the work of experts will raise these standards as will no other single factor.

CONCLUSION

The above survey reveals that civil service commissions are active in adapting their methods to contemporary governmental needs. This is by no means a general tendency among all of them, however. There is still need for more of the spirit of the new bureaus of economy and efficiency. A central appointing agency, highly specialized and expert in choosing men, with constructive ideals of efficiency in government is the sort of institution, regardless of its name, now needed to secure better and saner government assisted by high grade experts.

A REVIEW OF THE CIVIL SERVICE LAWS OF THE UNITED STATES

BY ALBERT SMITH FAUGHT¹

Philadelphia

I

THE point of greatest weakness in a republican form of government lies in the methods adopted for selecting the persons entrusted with the governmental machinery. The criticism that democracy as exemplified in America is still on trial and has not yet demonstrated its superiority over rival systems which have flourished in the old world countries finds its strongest justification in the disordered political conditions which persistently manifest themselves in the United States. The people of America are not oblivious as to the possible existence of defects in their system of government, and recent years have witnessed conscious efforts on the part of states and communities to study actual political conditions that they may be improved by remedial and preventive legislation.

The division of the American Commonwealth into innumerable states and partly autonomous municipalities, able within certain limits to propound and try out legislative or administrative remedies for the cure of political evils and abuses, has operated towards converting each into a political and sociological laboratory for the investigation of governmental problems. The scientific method of original experimental research is thus in effect being applied throughout the United States to the study of actual political conditions. The fact that the American people whose political conditions are being investigated are at the same time themselves the investigators is a unique feature. The complexity of political conditions is such that each step forward or backward in the solution of governmental problems doubly augments or retards the power of the people to achieve the next step.

Public officials and employees under a republican form of government can be selected only by one of two methods, or by a combination of them, namely by election or by appointment. Since men are said to be born free and equal, heredity is not recognized in a republic as an additional mode of selecting office holders, although perhaps it is allowed surreptitiously to exert its influence in "grandfather" clauses and in the preference given to veterans' orphans in making appointments to office. Restricted to the two methods, election and appointment, the results of legislative efforts at regulating the selection of public officials are found

¹Member of Council of National Civil Service Reform League.

upon the statute books of the various states in the form of election laws and acts establishing civil service systems.

The two available methods, election and appointment, for choosing public officers are capable of being combined in many ways. At one extreme any citizen may be eligible for an office filled at an election in which all adult citizens of a community, men and women alike, participate. Restrictions as to age, sex, education, property and other qualifications may be imposed in determining the electorate. The indirect election of the president of the United States by members of the electoral college, who alone have the right to cast legal votes for the incumbent of that office, was originally intended as an extreme restriction on the electorate for this most important office. If the electoral college had been allowed to become a deliberative body with real power to choose the president this method of election would closely resemble the modern system of appointment of public employees by a small city council of a municipality under the commission form of government. If the group having the power to elect or appoint be further restricted, we reach the typical case of a public officer having the sole right to appoint others to office, the whole power of election becoming concentrated in one individual.

Restrictions may also be imposed upon those who are eligible for election or appointment. We here enter the domain of civil service laws. Either rigid limitations may be established as to residence, age, experience and various other matters; or relative and preferential restrictions may be imposed by favoring certain classes of citizens for appointment, such as veterans in Wisconsin, "where practicable, other conditions being equal," or persons injured in the public service as in Los Angeles. The extreme restriction upon the privilege of appointing public officials is the requiring of appointment to office of a particular person to be designated by a process eliminating completely or as far as possible every element of discretion. Usually under civil service laws, the appointing officer has a choice among the three highest available names on the appropriate eligible list, but in Illinois the statute requires the appointment of the particular individual who has attained the highest mark or rating after a competitive examination. Another extreme limitation upon the power of selecting public officers and avoidance of personal discretion in making appointments is also attained by the Chicago civil service law which allows laborers to be selected by lot from among those on the appropriate eligible list.

In the forum of public opinion to-day there are being discussed the merits and defects of many important experiments in selecting and removing public officials such as the non-partisan primary, the proportional representation plan of electing a city council, the recall of judges and the establishment of civil service systems. The nation as a whole recognizes

the evils and dangers which accompany the old order of government by political machines maintained by election frauds and chicanery and supported by the spoils system. As to the proper remedies, there is still wide divergence of opinion, and we have not yet obtained a final answer to Tweed's question as to what we are going to do about it.

It is clear that the problem of election law and that of civil service law are but two phases of one of the greatest problems of a democracy, the choosing of just and efficient administrators of the machinery of government. Space does not permit the adequate consideration of either of these two subjects. The current discussion of the drafting of a model civil service law [Footnote: see the Consideration of the Draft of a Model Civil Service Law Proposed by Mr. Robert C. Catherwood, page 377 of this issue] renders the present time opportune for a brief review of certain of the civil service laws and systems in force in the United States. Among the wide diversity of legislative experiments, it may be possible to point out certain tendencies pointing towards the recognition of essential features of effective civil service systems.

II

The United States Civil Service Commission² concisely reviews the present extent of civil service in the United States in the following language: "Of the whole number of public employees in the United States—federal, state, county, municipal and village—not far from 600,000, or nearly two thirds of the entire number, are withdrawn from the spoils system and appointed upon a merit basis, under laws intended to regulate and improve the public service. The experience obtained in the administration of the merit system by more than two hundred civil service commissions under varying conditions has demonstrated the value and the success of the system of obtaining well-qualified persons for all classes of positions, including the higher expert positions."

Almost thirty different types of civil service laws may to-day be found in actual operation in the United States. A wide variety of methods and principles, not always consistent with each other, are found embodied in these acts. The object to be attained is presumed to be the same in each case and may be summarized as follows: (1) to increase the effectiveness and economy of work done by public officials by weeding out incompetents and allowing the appointment only of those who are fully competent to perform the required duties; (2) to minimize the waste due to frequent changes in administrations by making permanent the tenure of office of competent public employees; (3) to minimize the danger of public officeholders maintaining themselves in office by improper political methods and of being paid out of the public treasury for

² Twenty-ninth Annual Report (1912), page 38.

service rendered to a political party instead of for work performed as public employees for the community as a whole; (4) to encourage faithful service to the community by rewarding it with promotion and permanency in office; (5) to protect public officers from outside political pressure so that they may devote all their time and energy to their public duties and be free from any obligation to make political contributions or render political service as a condition of continuance in office; and (6) to establish equitable methods of giving every man of equal ability equal opportunities of obtaining desirable positions in the public service.

The civil service laws now in force in the United States have been enacted by many types of law making bodies. The federal civil service law, including the District of Columbia and the outlying possessions, is based upon acts of Congress, the first of which was passed on January 16, 1883, as the result of widespread agitation against the spoils system which had evolved a disappointed office-seeker as an assassin of President Garfield. The United States Civil Service Commission, appointed and removed at the pleasure of the President, is the administrative head of the federal system which now has jurisdiction over 273,000 persons in the employment of the United States government.

In the constitutions of three states are embodied civil service requirements:—New York, adopted on November 6, 1894; Colorado, amendment of 1902; and Ohio, adopted on September 3, 1912. Article 15, section 10 of the Ohio constitution reads: "Appointments and promotions in the civil service of the state, the several counties, and cities shall be made according to merit and fitness, to be ascertained, as far as practicable, by competitive examinations. Laws shall be passed providing for the enforcement of this provision." The New York constitutional provision contains an additional clause giving special preference and protection to veterans. The principle that old soldiers of the United States should form a caste of favored citizens may have its value in encouraging military service but it is not one which has any immediate connection with the principles which have led to the extension of the civil service system as a means of selecting public officials in the democracy of the American people. The Superior Court of Pennsylvania in the case of *Wood v. Mulholland*,³ decided that the clause of the Philadelphia civil service law which exempted from its operation veterans and the widows and children of veterans was unconstitutional as granting privileges to a special class but whether the New York constitutional preference of veterans is in violation of the United States Constitution has never been decided. The third and remaining state with a civil service provision is its fundamental law is Colorado, where article 20, section 3 places the police and fire departments of Denver under the protection of such civil service regulations as are to be established by the city charter.

³ 46 Pa. Super. Ct. 573.

The various state legislatures have frequently enacted civil service laws, covering at times all the state, county and city employees, and on other occasions only the civil service of a city or class of cities, or possibly merely the police and fire departments of a city. Instead of an act of the legislature, in at least one instance, a city with 30,000 inhabitants dwells under the protection of a civil service system based solely upon an ordinance adopted by the city's legislative body. Newport, one of Kentucky's cities which has the commission form of government, adopted on January 22, 1912, an ordinance establishing a complete civil service system.

III

While civil service systems thus trace their origin to different legislative sources, they also fall into a new series of groups with respect to the scope of the positions included within each system.

Four states have civil service laws which cover not only the state service, but officials of the cities and counties as well. The tendency towards dissimilarity in form of law is again apparent and these four states represent four different systems of administration of the civil service principles. The oldest law is that of New York enacted on May 4, 1883, under which a state commission appointed by the governor has direct charge of the civil service of the state, counties and villages and has supervisory control over a series of forty-seven local civil service commissions, one for each city, appointed by the mayor, except in exceptional circumstances when the state commission may appoint the local commissioners. In practice the system is unwieldly and there is a certain lack of uniformity in the rules and administration of the law by the various local commissions. The commission in New York City operates under the general law supplemented by a series of civil service provisions of the charter of Greater New York City.

The next oldest state civil service act is that of Massachusetts which became a law on June 3, 1884. The dual system of a state and many local commissions is maintained, but all the work is centralized and the state commission in fact has the entire responsibility in the administration of the law.

The third act of this group is that of April 10, 1908, of New Jersey. Local commissions are done away with altogether and a single state commission alone is in charge of the law's administration. One important feature of the New Jersey act may be here mentioned,—that while it applies immediately to the state service, it takes effect in cities and counties only upon adoption at an election by the voters of each of these communities. The Court of Errors and Appeals of New Jersey in *Booth v. McGuinness*,⁴ in upholding the constitutionality of the law as a whole,

⁴75 Atlantic Reporter 455.

decided that that provision of the act was unconstitutional which enabled the council, instead of the voters of a city, to adopt the law, and make it apply thereafter to the civil service of such city.

One of the most recently established state systems covering the state service and that of cities and counties is the law of Ohio, which became effective on January 1, 1914. Here there has been a return to the dual system, but the state commission has charge of the civil service of the state and of the counties while in each city a local commission administers the law as to employees in the service of the city and in the school district which corresponds to the city. Doubtless the maintenance of the local city commissions is due to the influence of the existing civil service commissions in Columbus, Cleveland and other Ohio cities.

There are five other state civil service laws which properly form one group, since each covers only the state service, Wisconsin and Illinois, enacted in 1905, Colorado in 1907 and California and Connecticut in 1913. In these states the operation of civil service systems had first been tried out by local municipal commissions, which were allowed to continue their work without interference upon the enactment of the state law. One result has been the multiplication of commissions, there being eight in California and five in Colorado, while in Illinois there are at least eight commissions representing five separate civil service systems, a state civil service commission; one for each city adopting the municipal civil service law, Chicago, Evanston, Springfield and Waukegan; separate boards administering civil service in the fire and police departments of cities of from seven to one hundred thousand which have adopted a certain act, Aurora, Joliet, Rockford and Elgin; a commission having charge of the civil service in Cook County, and finally another with jurisdiction over the West Chicago Park employees. There is apparently an unnecessary duplication of work in maintaining so many commissions when a consolidation is possible. The New Jersey system of one commission doing all the work for the state, counties and cities shows the possibilities of a single comprehensive system of civil service in a particular state.

IV

The cities of the United States which are under civil service may be divided into numerous important groups, according to the nature and source of the civil service provisions of their charters, and also according to the form of government, whether modeled upon the old pattern or after the new commission type. The lines of cleavage cross each other and a particular city may be found in two or more of the groups. A fundamental distinction separates cities whose machinery of government is provided for by general or special laws of the state legislature from those which enjoy more or less autonomy resulting from "home rule" charters which have been drafted and adopted by the voters of the

municipality. California, Colorado, Michigan, Minnesota, Missouri, Oklahoma, Oregon and Washington allow within certain limits some of their cities the privilege of adopting charters of this type. Each city, to a limited extent, is free to select its own form of local government, including the privilege of recognizing or ignoring such principles as that of basing civil service on the merit system. By no means all of the home rule cities have adopted civil service and eliminated the spoils system, but where the merit system has been resorted to it necessarily has been by the voluntary action and choice of the community. Among the more important cities with home rule charters, which have incorporated therein civil service principles, may be mentioned Denver, Kansas City (Missouri), Los Angeles, Oakland, Pueblo (Colorado), Sacramento and San Francisco.

The civil service provisions of the charters of these cities differ widely among themselves and in instances present unusual features. Thus in Pueblo the civil service commissioners are elected by the voters and are subject to the "recall." Los Angeles has five civil service commissioners, almost the only instance in the country of such wide departure from the usual type of a commission of three members. In Denver the members of the police force are by the state constitution directly placed under civil service, while in Missouri, policemen are considered as state officers so that in Kansas City the police department is excluded from the jurisdiction of the civil service commission.

The point of view shifts when we turn from cities with home rule charters to those whose form of government is provided by the state legislature. In the former case the community may recognize that it needs the merit system, in the latter the legislature as a paramount authority may decide that certain municipalities should have civil service instead of the spoils system. A community conscious of its troubled politics may itself seek relief or the fatherly legislature may insist upon its getting relief from the spoils system.

The legislative will may be expressed by special laws for particular localities as is exemplified by the civil service law of New Orleans, and by the charter of Greater New York City with its numerous clauses referring to the civil service, and also by the host of special and local civil service enactments with which the Massachusetts legislature has confusedly built up its complicated system. The reasons are not clear for state legislation to the effect that druggists shall be eligible like normal citizens for appointment to public office (Acts 1912, chapter 212, page 139), or that assistant watchmen in the state prison must be between twenty-five and forty years when appointed (Acts 1899, chapter 245). Massachusetts may be considered to be farthest away from the home rule charter cities in spite of its own early history when each of its towns was sufficient in all things unto itself.

The present tendency is away from state interference in local affairs

by special legislation. Municipalities are classified by population and laws passed for each class. Frequently, however, there is only one city of the most important class and the practical effect is to allow legislation for such city under the paraphrase "every city of the first class." This is the way the Pennsylvania legislature refers to Philadelphia. In this state also there are only two cities of the second class, Pittsburgh and Scranton, which are incongruously yoked together although one is four times the size of the other. In addition to these Pennsylvania cities, Milwaukee may be mentioned as having a civil service law enacted for cities of a certain class, in effect meaning one particular chief city, while the recent act of March 25, 1913, creating a civil service commission in Minneapolis applies in terms to all cities of the first class not organized under a certain section of the state constitution.

Elsewhere civil service laws for particular classes of cities may apply to a substantial number of municipalities, for instance the law adopted by referendum by Chicago, Springfield, Evanston and Waukegan in Illinois, and the commission form of government law containing civil service provisions which has been adopted likewise by referendum by Des Moines, Cedar Rapids and several Iowa cities. Civil service laws applying only to police and fire departments may be mentioned in this connection, such as those adopted by Milwaukee in Wisconsin and Rockford, Aurora, Joliet and other cities of Illinois.

It is to be noted that practical experience shows that when there is only one city in a class the representatives of that city in the legislature generally have a controlling voice in all legislation affecting such city. Bearing this fact in mind it is manifest that in every one of the municipalities under discussion civil service has been adopted only at the instance of the local community, either by including the merit system as part of the home rule charter as in the California cities, or by referendum adopting the provisions of a state law applying to several cities, such as that of Illinois, or by procuring special legislation for such city either directly as in New Orleans, or under the guise of laws for "every city of the first class," as in Philadelphia. This generalization applies to nearly all cities in the country except those of New York and Ohio and possibly of Massachusetts. It is in New York and Ohio that there are constitutional provisions directing that the merit system is to be established throughout the state, thereby including the cities, and the voters of the municipalities are in no wise consulted except as members of the commonwealth adopting or rejecting the state constitution.

While the people of the United States have not yet decided as to the extent to which the state legislature should interfere with the local government of municipalities, it would seem that the principles of civil service are of such fundamental importance that the state as a whole may properly be interested in the question whether the spoils system is to be allowed to

exist in any of its sub-divisions. Although communities drafting home rule charters frequently recognize the importance of civil service principles the tendency at the present time may be said to be towards the enactment of complete systems of civil service covering not only state employees but those of municipalities and other sub-divisions of the state. Frequently the need for civil service is first recognized as to municipal employees and the system is extended to state employees only after local commissions have been in operation for several years.

V

Another fundamental distinction for the classification of cities relates to the form of government. The commission government cities form an important group distinct from those with the old established bicameral numerous councils. This younger group contains representatives of every one of the types of cities already mentioned. Des Moines and other Iowa cities have adopted by referendum the uniform commission form of government act in which the civil service system is embodied. Springfield (Illinois) has by referendum adopted two general laws, one establishing the commission form and the other covering civil service. New Orleans was already provided by a special act of the legislature with a civil service system when it recently was given the commission form of government. In that city the civil service system was left unimpaired, practically the only change being in the designation of officials who should form the civil service commission. Oakland (California), Pueblo (Colorado), and Sacramento (California), are home rule cities with civil service provisions incorporated in their charters. Newport (Kentucky) is a commission city in which the city council has adopted an ordinance establishing a comprehensive system of civil service. Grand Junction (Colorado), a city of 7,700 inhabitants is at one and the same time trying three twentieth century remedies for political evils, the commission form of government, civil service and a system of preferential voting which is a modification of the proportional representation plan which was recently discussed in the REVIEW. [Footnote. See issue for January, 1914, p. 49.]

No two laws for the establishment of commission government in cities are identical in their civil service features. In Des Moines the city council elects the civil service commission. In Pueblo the people elect the members. In Keokuk and the smaller Iowa cities the city council themselves act as civil service commissioners, while in New Orleans, the mayor and two of the city council designated by the entire council act as the civil service commission.

Out of 186 cities reported as having the commission form of government, on January 1, 1913, forty-five appear to have civil service principles incorporated in their charters or laws. But when only cities of

fifty thousand inhabitants and upwards are considered, out of twenty-one such cities, two-thirds are found to be under the merit system.

VI

Turning to counties which are under the civil service, we find that there are three well-defined types of laws. The state-wide laws of Ohio, New York, Massachusetts and New Jersey cover county employees, in each instance the state commission having direct charge of the enforcement of the law. In the first three states named the law is mandatory, while in New Jersey the voters of a county may adopt the civil service law. A second group consists of cities large enough to include a coterminous county, such as Denver, and San Francisco, in each of which the municipal civil service commission administers the law for the benefit of city and county employees alike. This plan is in contrast with that in force in Philadelphia where the civil service law applies only to city office holders, positions which are technically county offices, although essential parts of the government of the municipality, not being covered by the law.

Finally, Cook County, Illinois, has a separate civil service commission under special acts of the legislature. In view of the fact that there also is a separate civil service commission for the West Chicago Park system, the reason for this duplication of machinery is not apparent.

While counties are generally recognized as being convenient units for the administration of justice and the establishment of separate courts, no demand is apparent through the country for the creation of separate civil service commissions for the various counties. The Cook County law was enacted in 1895 and the present tendency appears to be toward the extension of civil service principles to the employees of counties by placing the work of administering the law in the hands of a single state commission instead of numerous local commissions, yet it must not be forgotten that on November 5, 1912, the voters of Los Angeles County adopted a home rule charter containing a civil service system.

VII

It is not possible here to touch upon the detailed provisions of the various civil service laws such as those relating to the classification of the service, the scope and character of examinations, and the several systems of keeping efficiency records. These matters present many interesting questions and would serve as further illustrations of the versatility of the American people in their endeavor to devise thorough yet practical systems of automatically selecting honest and efficient public servants according to their merits rather than their politics. Restricting our inquiry to the origin and general jurisdiction of the various civil service systems, we find that there has been in recent years a marked increase in the rate at which the principles of civil service are being extended and

applied throughout the country. During the legislative period commencing January, 1913, three of the states enacted comprehensive state-wide civil service laws—California, Connecticut and Ohio—so that there are now nine states with such laws with a promise of a steady increase in the number from year to year.

Generally speaking the need for civil service is first felt in the larger cities and in response to the demand a system is established locally with a municipal commission as the administrative body. With the exception of St. Louis every one of the twenty largest cities of the United States now has civil service as part of its machinery of municipal government. After local commissions have been established for several years, the tendency is to extend to the state service the system which experience shows has produced locally beneficent results. When the state civil service law is enacted the work of the municipal commissions is frequently allowed to be further carried on locally instead of placing the entire administration of the law in the hands of a single state commission. Such has been the course in Ohio and California, although in New Jersey a single commission conducts the examinations for appointments to positions in the service of cities and counties as well as of the state itself.

There is a distinct advantage in centering the responsibility for the administration of an entire state system in the hands of one commission, since a commission should be freed as far as possible from subserviency to the officials over whose political ambitions and actions it may be designed to act as a check. If the civil service law is administered by the appointees of a mayor who are subservient to his political demands, the system may become an instrument of confusion and a means of defeating the very purpose for which the law was passed. If the civil service commission is subject to manipulation and improperly stamps its approval upon actions which amount to deliberate discriminations in favor of the adherents of a particular political party, the people, lulled to security by the apparent fairness of the law, may be in a worse condition than if their vigilance had been maintained by the absence of such legislation. This contingency will probably occur but rarely, nevertheless, the single state commission is generally beyond the reach of local political influence and is more responsive to a healthy public opinion insisting upon a just and impartial administration of the law. In seeking the best men to act as civil service commissioners, we find ourselves face to face once more with the old problem of democracy in America, as to the proper means of securing men just and capable of administering the law and the machinery of government.

THE NEW YORK SCHOOL INQUIRY

BY LEWIS MAYERS, PH.D.

College of the City of New York

A STATEMENT as to what the New York school inquiry was may probably be best begun by stating what it was not. For there exists an apparently common misconception as to its character—a misconception which manifests itself by the reference to the body which conducted the inquiry as the “Hanus Committee.” The committee on school inquiry was a committee of three members of the board of estimate and apportionment of New York City, the body controlling the finances of that city, appointed under resolution of that board to investigate the efficiency and wisdom of the methods of expenditure of the enormous appropriations annually granted to the department of education. The committee divided the work of investigation into two parts, the one being concerned with the purely business aspects of the department’s work, the other the educational aspects. The general supervision of the educational branch of the inquiry was entrusted to Dr. Paul H. Hanus of Harvard University. He was permitted to nominate his own assistants, but his nominations were in every case submitted to the committee for approval. Both because of the more fundamental character of the subjects treated, because of their fuller publication and because of a great amount of publicity due to adventitious causes, the reports prepared by the investigators working under the direction of Dr. Hanus attracted much wider note than did the reports made by the other investigators employed by the committee. The reference to the committee as the “Hanus Committee” is, therefore, perhaps natural. It is, however, wholly incorrect. Several of the most important reports to the committee dealt with non-educational subjects and did not, therefore, come under the supervision of Dr. Hanus. Such, for example, were the reports of Messrs. Armstrong, Baskerville and Winslow on ventilation conditions in classrooms and of Mr. Armstrong on the condition and efficiency of public school buildings. Furthermore, several lengthy reports on purely educational subjects, such as that of Dr. Bachman on promotion, non-promotion and part-time, and of Messrs. Goodnow and Howe on the organization, status and procedure of the department of education were prepared some time after Dr. Hanus had severed his connection with the committee.

ORIGIN OF THE INQUIRY

The inquiry owed its origin to considerations primarily of a financial character, and its direction by the committee was throughout motivated by those considerations.

Shortly after the last administration of New York City took office (January, 1910), it decided, through the sinking fund commission, to collect exact information regarding the very great quantity of unused land owned by the city, with a view toward making some economical disposition of such part of it as was not immediately necessary for the purposes for which it was acquired. Investigation showed that the board of education of the city held a considerable number of parcels of vacant land, some of them purchased several years previously, and of a total cost of acquisition to the city of nearly \$4,000,000.

At about the same time the board of education presented to the board of estimate and apportionment a request that the latter body issue, during the year 1911, \$14,000,000 worth of bonds to provide for the acquisition of sites and the construction of buildings for new schools. The board of education urged that that amount, and more than half that amount annually for five years, was necessary to relieve the grievous inadequacy of school accommodations over large areas of the city, which made it necessary for about 9 per cent of the elementary school children of the city to attend only part-time sessions.

In view of the great number of unused, and, for immediate purposes, unusable school sites held by the school board, and in view also of the indubitable fact that the appropriations for school construction had for some years been reasonably large, having averaged over \$7,000,000 annually for the seven years, 1904-1910, the city administration was disposed to feel that the lack of school accommodations was more largely due to the failure of the school board properly to administer the funds which had been entrusted to it, than to the failure of the fiscal authorities to provide sufficient funds.

Much color was lent to this belief by the publication, late in 1910 by the superintendent of schools, of the fact that though there were 54,000 children in the city on part-time, indicating a shortage, in those sections of the city where such part-time existed, of approximately 27,000 school sittings, yet in the city as a whole the number of school sittings exceeded the number of pupils by 40,000. Making allowance for the excess of sittings under normal conditions, these figures appeared to indicate, along with a shortage of approximately 27,000 seats in certain sections of the city, an excess of approximately 67,000 seats in other sections.

The belief that the condition here indicated had come about not so much through an abnormally rapid movement of population about the city as through the failure of the educational authorities properly to study and provide for the normal and predictable changes in population movement, was further strengthened by the inability of the school board to produce, on request, any adequate data on population growth or movement in support of its \$14,000,000 request for new sites and buildings in 1911, as well as by its inability to furnish to the commissioners of the

sinking fund the data requested by them with reference to the probable future need for the numerous unused plots held by it.

The dissatisfaction of the fiscal officers of the city with these financial methods was increased a few weeks later upon their receipt of the estimate of funds needed for salaries of teachers during the year 1911. In that document it was estimated that the number of elementary school pupils during 1911 would be greater by 28,000 than the number in 1910. It was contended by the budget committee of the board of estimate that the records maintained by the school officers did not warrant the expectation of so large an increase, ~~and~~ were indeed inadequate for any accurate estimate. Facts developed at public hearings held by the committee strongly indicated that the increase of teaching force due to increase in school population had in past years been regularly over-estimated by the school authorities.

While the correspondence and conference between the school and the fiscal officers had been confined to matters of a statistical and financial character, the discussion evoked in educational circles and among the interested public, as well as some of the opinions expressed at the budget hearings, had touched also upon the educational phases of the questions involved. Several months previously, an investigation made by the Russell Sage Foundation had emphasized the importance of the retardation or non-promotion of children, especially in the lower classes, as a factor in increasing the school population, and hence school congestion, of the city, and had called attention to methods of administration and instruction which were believed to be largely responsible for non-promotion. A similar investigation by the Bureau of Municipal Research produced confirmatory conclusions. The discussion then general as to the proper length of the elementary school course, and the proper time for the beginning of vocational study was also reflected in the hearings on the educational budget held by the budget committee of the board of estimate. That committee after it had decided on the educational budget came to the conclusion that an intelligent consideration of future educational budgets would be greatly assisted by a thorough investigation of all those questions of school administration, whether on the physical or instructional side, which had financial implications. Accordingly, the following resolution was adopted at the meeting of the board of estimate on October 26, 1910:

WHEREAS, The budget of the department of education represents approximately one third of the total appropriation of the city of New York for current administration purposes; and

WHEREAS, The appropriation recommended by the budget committee of the board of estimate and apportionment for the year 1911 for the purpose of the department of education represents an allowance of \$1,623,555 in excess of the three-mill tax appropriation required by law; and

WHEREAS, in formulating the allowance for the purpose of the department of education the board has been unable to secure sufficient and satisfactory information in explanation of requests for appropriations made by such department to enable it to reach proper conclusions with respect to the necessity and propriety of such requests; and

WHEREAS, It is the sense of the board that efficient and progressive administration of the schools of the city of New York is indispensable to the welfare and progress of the city, and that generous appropriations for the purpose of the department of education are desirable in so far as assurance and evidence can be given that such appropriations will be expended for purposes and in a manner to promote the efficiency and welfare of the schools and to increase the value and effect of the instruction given therein; and

WHEREAS, The growth and development of educational activities and improvement in educational methods actually present to the board, in connection with the preparation of the tax and the corporate stock budgets, many questions bearing upon the efficacy of educational policies and methods now pursued, and upon the efficiency and economy of the administration of the affairs of the department of education; be it

Resolved, That a committee of three members of the board be appointed by the mayor to conduct an inquiry into the organization, equipment and methods, both financial and educational, of the department of education, including such plans and proposals as may have been formulated or may be under consideration by the board of education for extending and developing its educational activities, and that for this purpose the committee be authorized to associate with it such experts within and without the government of the city of New York as may assist it in the conduct of this inquiry and in the formulation of recommendations of this board, and that it be further authorized to employ such assistants as it may find necessary for the purposes of this inquiry; and be it further

Resolved, That for the above purposes herein above mentioned, the board include an appropriation of \$50,000 in the appropriation of the board of estimate and apportionment for the year 1911.

The committee appointed by the mayor in pursuance of this resolution was headed by Mr. Mitchel, then president of the board of aldermen, and now mayor of the city, and upon him fell the responsibility for the greater part of the committee work, in its official aspects.

It may be appropriate to mention that simultaneously with its inquiry into school methods the board of estimate also ordered investigations to be made of the administration of the department of charities, and of the alleged irregularities existing in the rates of compensation paid in the several departments, of which subjects also the need for investigation was felt by the administration as a result of its experience with its first budget.

As above indicated, the inquiry was divided into two main branches, the first dealing with financial and administrative matters, and the second with educational matters. The financial and administrative inquiry (which included also an investigation into the condition and efficiency of maintenance of the physical plant and equipment of the department of

education) was begun almost immediately, several accountants and engineers being employed.

Work on the educational inquiry was begun in the spring of 1911. Dr. Hanus' work with the committee terminated in the spring of 1913. The final report of the committee to the board of estimate, though dated May 31, 1913, was not submitted till several months after that date. In all, therefore, the inquiry lasted about two and a half years.

The final report of the committee to the board of estimate summarizes and discusses "the main conclusions and constructive suggestions upon which its investigators are in general accord." These are found by the committee to be as follows:

- (1) The course of study in all schools should be organized around human problems and made simple and elastic enough to permit of differentiation to meet the needs of different nationalities and groups.

- (2) The content of the course of study should be made as practical as possible and special attention should be given to the development of commercial, industrial and vocational subjects emphasizing the larger and more important aspects of industrial and commercial activities.

- (3) The board of education should take necessary steps to effect the gradual elimination of teachers of special branches.

- (4) Each school as a neighborhood center should ally itself with neighborhood interests and take cognizance of local needs.

- (5) The board of education should make a careful investigation to ascertain whether cosmopolitan or composite high schools offering several different courses of study or small high schools with differentiated curricula should be developed.

- (6) The board of education, through the proposed bureau of investigation and appraisal or other bureau, should establish a fact basis for its educational, administrative and financial work.

- (7) The board of education's attendance department should adjust its work so as to maintain discipline and control school attendance without resorting to police methods in checking truancy.

- (8) The educational administrative work of the department should be reorganized.

- (9) The board of education should carefully supervise the operation of heating and ventilating systems installed in the different public school buildings.

- (10) A comprehensive plan should be worked out for the wider use of school buildings for purposes of recreation for public assemblage and for civic and social gatherings.

- (11) The different administrative departments and bureaus of the department should be reorganized.

- (12) The accounting system of the board of education should be so adjusted as to make possible the fullest segregation of disbursement accounts along functional lines properly correlated with allied statistics and their publication at least quarterly.

- (13) The board of education should provide for the collection and tabulation of all current data needed in order to enable it to know in advance what additional seating capacity is actually required throughout the city.

(14) The permanent census board should be utilized by the board of education and should eventually be transferred to it.

(15) The board of education should be reorganized and its membership reduced from forty-six to eight with sixteen votes as now distributed in the board of estimate and apportionment.

RESULTS OF THE INQUIRY

Whether the inquiry justified its existence and the large amount of money expended upon it (about \$100,000 in all) must remain a matter of opinion. Attention may be called, however, to several tangible and indubitable results of the inquiry.

In the first place, the inquiry provoked, as nothing else ever has, and perhaps nothing else could, a widespread public discussion of school conditions and problems in the city. That discussion is still with us and has unquestionably been of high value to the city's educational system.

Next in importance, perhaps, is the education that has been given to the fiscal and educational officials alike in matters of educational budget making and finance, some of which had always been confused and obscure simply because no one had had the time to look into them. There can be no question that the educational budget for 1914 was in several respects more accurate and clear than its predecessors; and there is good reason to believe that the budget for 1915 will be still better. A stronger spirit of co-operation has been the result of this better information and understanding.

Of the definite recommendations of the committee's investigators, in other than budgetary directions, several have already been adopted and several more, doubtless, will be in the near future. The course of study has been and is being revised along the lines suggested by the committee's specialists. The bureau of investigation and appraisal, recommended to be established for the purpose of appraising and evaluating results and methods, and of making educational researches, has been created by the board of education, and the suggested advisory council of teachers is now being organized. The recommendations made regarding the establishment of a greater number of intermediate schools, and regarding the proper form of organization of vocational schools, have already been partly put into effect, resulting in a very large saving. Plans for a more thorough and extensive treatment of the problem of mentally defective children, as urged by the Committee's investigators, are also under way.

The compulsory attendance service has been reorganized and several of the other bureaus of the board of education will doubtless be similarly dealt with. What will perhaps prove to be the most important of all the recommendations made by the investigators is now being much discussed and is more than likely to result in legislative action in the near future—the recommendation that the membership of the board of education be reduced from forty-six to eight.

In discussing the cost of the inquiry, moreover, as compared with its results, it must be remembered that the total cost was less than one fourth of 1 per cent of the amount annually expended for school purposes by the city.

THE COMMITTEE'S RELATIONS WITH ITS EDUCATIONAL INVESTIGATORS

Much public interest was excited, during the progress of the inquiry, by a controversy which arose between the committee on school inquiry and Dr. Ernest C. Moore, of Yale University, concerning the value of a report submitted by him upon the board of education and the local school boards, and by an apparent lack of harmony during the latter part of the inquiry, between the committee and Dr. Hanus. For the proper understanding of these matters a knowledge of the general procedure followed in the conduct of the whole educational inquiry is necessary. That procedure is thus described by the committee itself:

The inquiry was divided into two branches, the first dealing with educational matters, and the second dealing with financial and administrative matters. Prof. Paul H. Hanus, head of the division of education, Harvard University, was employed to take general charge of the educational aspects of the inquiry. Prof. Hanus nominated his own assistants and his selections were in every case approved by the committee. The committee indicated to Prof. Hanus the main lines of the inquiry, and requested him to outline how his branch of the inquiry should be conducted. The plan finally presented by him including both the committee's suggestions and his own, was finally approved and the investigation was begun. Eleven specialists were employed to co-operate with Prof. Hanus.

The various experts were left free to conduct their inquiries in their own way after the general plan had been determined upon. The committee knew nothing of their findings until their reports came in.

Upon receipt from the printer of the galley proofs of the several reports, the committee communicated with several of the specialists suggesting that their reports might be strengthened at certain points by the inclusion of statements of fact upon which were founded opinions or allegations contained in the reports, or by an indication as to the source from which or manner in which such facts had been obtained. As an example of the nature of the questions asked, the following, which were asked of Prof. Calvin O. Davis who submitted a report on the course of study in high schools, may be cited:

3. Please indicate why you selected Boston, Chicago, Cincinnati, Cleveland, Detroit, Indianapolis, Newark, Los Angeles, Milwaukee, and St. Louis for comparison with New York City.

4. Would the result be appreciably different if comparison were made with Philadelphia, Pittsburgh, San Francisco, Montclair, Springfield, Buffalo, Portland, St. Paul, Kansas City, and Atlanta? If not, will you please say so specifically in the report?

5. With respect to the comparisons between New York and other cities made by you in point of syllabi, which is the newer standard for syllabus to be found in high schools—that of New York City, or that represented in the other ten cities cited by you?

Simultaneously the committee communicated with Dr. Hanus (who, together with all the specialists associated with him in the educational inquiry, except Dr. Bachman, had by this time completed their field work for the committee and had left the city) informing him of its action and enclosing a copy of the questions sent to the several specialists.

Immediately upon receipt of this communication Dr. Hanus telegraphed to the several specialists requesting them to send the replies to the questions asked them to him, and not to the committee. This request was complied with by all the seven specialists concerned. In his letter to the chairman of the committee acknowledging the receipt of the communication enclosing the questions, however, Dr. Hanus did not inform the committee of the action that he had taken, but merely stated that he would not at that time comment upon the fact that the committee had written to his associates instead of to him. It appears that all of the specialists to whom questions were addressed by the committee (except Dr. Moore, the history of whose report will be discussed later) framed replies and that two of them (Messrs. Elliott and Davis) were willing to make some of the modifications of their reports suggested by the committee.

The letters of the committee setting forth its questions and suggestions had been sent out under date of August 13, 1912, and the answers of three of the seven specialists addressed had been written and presumably received by Dr. Hanus prior to September 15. Dr. Hanus did not, however, transmit these replies to the committee. Instead, in a communication to the several specialists dated September 16, 1912, he requested them to classify the questions asked them by the committee under the following heads: (a) Immaterial; (b) confusing; (c) already answered or covered in the reports; (d) require further investigation which it is impossible to make; (e) worthy of consideration. This request of Dr. Hanus was acceded to by five of the seven specialists to whom the request was addressed. An examination of their communications shows that of a total of 72 questions asked, 15 were classified as immaterial, 16 as confusing, 23 as already answered, 8 as requiring further investigation, and 10 as worthy of consideration.

The replies received by Dr. Hanus from the several specialists were not transmitted by him to the committee until the end of December, and then, as is revealed by an examination of the correspondence between the committee and Dr. Hanus and of the minutes of a conference between them, only after repeated urgency on the part of the committee. The reluctance of Dr. Hanus to surrender these replies to the committee was

grounded upon his belief that it was beyond the province of the committee to take any steps toward changing the content of the reports submitted to it by the specialists who had acted under his direction.

This position he stated in several communications to the committee of which the following excerpt gives the substance:

My chief objection to the course you pursued is that it is an attempted editorial revision of the report which, as specialist in charge, I am making to your committee. Naturally, I object to any editorial revision of the report except my own, including such co-operation of my associates as I need. My revision does not, of course, exclude from consideration such comments of yours as seem to me important. On the contrary, I told you long ago that I would give your suggestions careful consideration. I, therefore, feel that comment on any part of the report should be sent to me. Moreover, any other course is almost sure to result in general confusion and needless delays; especially since the comments and questions you sent were based partly or wholly on unrevised first galley proofs.

In reply, Mr. Mitchel informed Dr. Hanus that:

We did not retain you to keep the specialists at arm's length from the committee, but rather to facilitate our dealing with them. We did not ask you to make a report to this committee, although we are very glad to receive such a report from you. We retained you to direct and supervise the collection of facts. We have asked the specialists in the letters sent them only for facts for the collection of which we have already paid, and which are indispensable to the support of statements made by them. We did not even ask you to revise the specialists' reports to us. We are glad to have your revision. Only after you had done your revising and had failed to call for facts which we regard as necessary did we write to the specialists asking what we expected they would, in their own interest, as well as in fulfilment of their obligation to the people of New York, be glad to furnish.

Due to my illness and to other conditions for which this committee is not responsible, we consented to accept from you galley proof in place of manuscript. Had the specialists' reports been submitted to the committee in manuscript in time for examination, these requests for supporting facts would have been made before the reports went to the printer.

We have paid nearly \$50,000 for this work. We are in duty bound to get the fullest possible return for this money. You surely could not expect us to accept reports costing \$50,000 without reading them, or to pass over omissions of facts, which facts we assume have been collected by the specialists, without giving to those specialists an opportunity to strengthen their reports and the result of the inquiry as a whole.

If you will consider this matter calmly and without prejudice I think you will come to the conclusion that the committee, instead of attempting to discredit, weaken, or change your reports and the results of your work, is doing all in its power to strengthen those reports, secure permanence for the results of your work, and obtain for the city full value for its heavy expenditure.

Examination of the correspondence files of the committee has failed to reveal any communication between the committee and Dr. Hanus in

which the precise scope of his functions is set forth, and from which alone it might be judged which position was the more tenable.

In any event, however, the specialists concerned agreed with Dr. Hanus' view, and the committee found itself compelled to deal with Dr. Hanus alone. He, however, after receiving the replies of all the specialists to the committee's questions, found none of the suggestions as to content made by the committee to be worthy of utilization in the reports.

The committee, thereupon, decided to print the reports as they had been submitted and to preface each one with the correspondence between the committee, the specialists and Dr. Hanus regarding its suggested revision. This has been done in the complete edition of the committee's reports recently published.

THE REJECTED MOORE REPORT

Among the specialists to whom had been sent under date of June 26, 1912, a set of questions relating to the contents of his report was Ernest C. Moore, then professor of educational administration at Yale University, who had submitted a report, entitled "The Board of Education and Local School Boards." Early in July the committee had received an advance summary of this report prepared by Dr. Moore. Upon reading this summary the committee was of the opinion that certain statements made therein, with reference especially to methods employed by both the board of education and the fiscal authorities of the city in the preparation of the educational budget, were not in accord with the facts. In the letter sent to Dr. Moore by the committee on July 26, the committee therefore requested Dr. Moore to answer certain questions, eighteen in number, in order that it might ascertain "how exhaustive the investigation was upon which the report was based." The nature of these questions is fairly illustrated by the following:

4. Did you read the minutes of the board of education budgetary hearings before the budget committee of the board of estimate and apportionment held in October, 1910, and in October, 1911?

5. Did you make a study of the methods of the board of education and of its committees, and of the minutes of the board of estimate and apportionment and its committees to ascertain whether or not it is difficult for the board of education to secure supplementary appropriations such as revenue bonds between budget periods?

12. Did you consult the correspondence between the different members of the budget committee of the board of estimate and apportionment, and the president and other members of the board of education dealing with the budget estimates of the board of education?

Prof. Moore refused, however, to answer this letter, insisting that the committee first read his complete report. Upon such reading, however, the committee, far from being satisfied as to the adequacy of the investi-

gation made by Prof. Moore, or of the existence of facts sufficient to substantiate his allegations, felt that, as stated in the letter by the chairman of the committee to Dr. Hanus, "whole sections are unqualifiedly false to my own knowledge, and that of the other members of the committee; other sections are shown to be wholly untrue by the investigation carried on through other branches of this inquiry, and by the reports submitted to the committee by engineers and other specialists." The committee accordingly addressed another communication to Prof. Moore setting forth, in the order in which they appear in his report, 223 points upon which it felt the report was not clear, or was inaccurate or unsupported by facts or references to authority. A considerable portion of these questions call attention merely to minor defects of form or statement; but the more important of them were directed to general statements of Prof. Moore which the committee deemed should be supported by facts. Such were, for example, the statements of Prof. Moore, that "the many-headed system, made up of the various branches of the city government, in constant struggle with the board of education as to what the law is, or what must or must not be done, is thoroughly incompetent to administer the schools of the leading city of the nation, is all too evident"; that the board of education "has not upheld the educational law, but has allowed other departments of the city government to interpret the law for it and to encroach upon its evident rights and functions almost to the point of eliminating it from the actual control and management of the public school system of the City;" that "in fact, the schools have been almost as completely annexed to the city hall as they would have been if the proposed new charter had become the organic law of the city."

Prof. Moore refused to answer any of these questions, even those that had reference purely to non-contentious points of form or fact. His reply, written immediately upon receipt of the committee's letter, stated that "the quantity and character of the questions which you have asked in such a dust-raising profusion seem to justify the truthfulness of the report. I have not answered them because of their character. They are non-sequiturs for the most part, such as are known to lawyers as irrelevant, immaterial and intended to confuse the issue." He admitted that "mistakes may have been made in transcribing figures or in outlining the many steps in its routine which each department must follow," and he declared that he held himself "ready to re-examine, and, if need be, to correct any specific statements in the report if you will be so good as to point out wherein they seem to you to be in error." Even this, however, he was willing to do only upon condition that the committee answer three questions, largely rhetorical in character, with reference to his status in the inquiry, the connection of which, with the correction of inaccuracies in his report, it is difficult for the impartial observer to discover. Prof. Moore's letter also contained several more or less personal

touches which were hardly calculated to improve the relations between himself and the committee. He opened by stating that "my report was not intended to verify your opinions and methods, nor to be verified by them. Instead it was intended to teach you and your colleagues something about the proper way to administer a school system" and he stated that "your conception of the proper way to run a school system and my experience and knowledge gained by running one, are at such variance that it would be futile even to attempt to convert you from your opinions. I do not feel any obligations to attempt so foolish a task, and shall not do so."

This letter the committee states "was of such a character that the committee deemed it needless to dignify it by a reply." Some further correspondence was had, however, with Prof. Hanus, who took the position that Prof. Moore's refusal to answer the questions put to him was justified, as was also his refusal to correct any alleged misstatements until the committee should answer the questions set by him as to his status in the inquiry. As the committee refused to do this, no progress was made toward an adjustment of the difficulty. The committee, however, in a letter to Dr. Hanus dated October 23, 1912, formally requested Prof. Hanus to cause Prof. Moore to turn over to the committee the working papers and records collected by him in the course of his investigation on the ground that they were the property of the city, and had been paid for by it, Prof. Moore, as well as all the other specialists, having been paid for his services from month to month while pursuing his investigation. Subsequently, unless these papers should be turned over to it by a given date, the committee declared that it would consider the report as then in the committee's hands as having been finally and definitely approved, and submitted by the writer. To this demand no response was received from either Prof. Moore or Prof. Hanus. The committee, thereupon, decided that it would not accept the report of Prof. Moore and so reported to the board of estimate on October 31, 1912.

The stand taken by the committee in this action is thus stated in its report:

When an investigator declines to disclose to the body employing him the sources from which he drew his facts, information, and the character and scope of the work done by him, it destroys the value of his work, if it does not, indeed, arouse the suspicion that he may have something to conceal. . . . Either the writer has wilfully miscolored and misrepresented facts, and has wilfully omitted facts for the purpose of drawing conclusions which he knew would not be supported by real facts if disclosed, or he has drawn money from the city of New York for a specific piece of work which he has neglected to do, and has reported conclusions and generalities without the preparatory work of investigation for which he accepted the city's money.

Nothing could hurt the constructive work of this board more grievously,

or could militate more strongly against the constructive results of similar inquiries throughout the country than for this board to permit one of those in its employ to render to it a false and unfounded report without stigmatizing it as such.

In view of the fact that the committee has determined to reject this report as a false, inaccurate and misleading document, it has come to the conclusion that the printing of it at the expense of the city will be a waste of municipal funds.

The committee appended to its report, however, the first galley proof of Dr. Moore's report, and in this form it was accordingly spread upon the records of the board of estimate and printed in the *City Record*.¹ Subsequently, Dr. Moore also printed his report through a private publisher, and appended thereto the 223 questions asked him by the committee, together with his answers to such of them as he did not deem immaterial or already answered in his report. The committee, on the other hand, in its final publication of the several reports, included a number of extracts from some of Dr. Moore's working papers, designed to show that he had incorporated in his report, without change or apparently, verification, extended statements furnished him by officers of the department of education.

To anyone interested in the merits of the controversy, these volumes would seem to furnish all the materials necessary for arriving at a judgment.

¹ Issue of November 13, 1912, p. 9050.

SHORT ARTICLES

SANE METHODS OF CIVIC EDUCATION¹

YOU who have undertaken so huge a task as the reformation of municipal citizenship must use tools, and you do well to examine those provided for you.

The sequence of your movement, as I have cursorily observed it, has interested me. First you met to exclaim, "How bad things are!" Then you inquired, "Just how bad are they?" A thorough examination of conditions in a scientific spirit led to a program of reform. Then came a consideration of civic teaching in college and secondary schools, that the leaders of the people might be prepared to make your reforms permanent. And finally, you look to the establishment of civic teaching in the elementary schools, knowing that good leadership is abortive if it does not meet with good response from the common people. And the common people are the product of the common schools.

I stand before you representing that host of women who teach the elementary school children. You must find out how to use us or your efforts will fail. I shall try to speak to you frankly, that you may learn our "teaching point," and, I daresay, you will get thus quite as much by implication and unconscious self-revelation on my part as by intent.

We who must teach these children civic virtue know nothing of the civics which we must teach—that is obvious; we have never been interested to learn it—nor of the child to whom we must teach it. No one knows the child's mind. Your own child, in your own home, inheriting your family traits, is a mystery to you. Each little face hides a mystery from me, which I cannot decipher, and which the child has no language to reveal. So you must take us, with our double ignorance, and teach us how to teach the child how to do his duty to the community—how to be a citizen.

Your difficulties are many.

First, there are the difficulties that you meet in the schools. Your children are taught chiefly by women. Hugo Münsterberg has endeared himself to the women teachers of America by sneering at the fact that we let the teaching of our children to the lowest bidder. It is true. And I think it is he who has said also, "Your children are instructed by half-educated women," meaning apparently to convey contempt by both terms. It is true. Training for citizenship is in the hands of those who can never be citizens. No such condition has existed since decaying Rome gave over the training of her citizens to Greek slaves.

¹ Address at the Toronto meeting of the National Municipal League.

I do not know how you can remedy this. It might be remedied were all the women teachers of boys to be replaced by men. But it is bootless to attempt that, as the history of manual training shows. It did seem that there was the golden opportunity for the introduction of men teachers. But no; all over the country our boys are being taught the gentle art of whittling, and even furniture making, by girls. What the anomalous situation will be when agriculture becomes a regular branch of elementary instruction, one shudders to think.

Or the question might be solved by giving women teachers the vote and so thrusting upon them an incentive to concern in civic questions. But the quandary thus created is great. Sir Almroth Wright says that no woman is complete in the mental entirety even of a woman, until she has physiologically functioned as wife and mother, and the board of education in New York says that no woman who has thus functioned shall teach.

As to the men in elementary education, they too constitute an element of weakness. For, however great the native brilliance or goodness of such a man, he is doubly handicapped. In the first place he has lacked that valuable training which comes from competition with one's peers. He has gravitated—or rather levitated—into positions of administrative power, not because of achievement, but because of sex. If among a group of twenty teachers there are two men, they need only do as well as, or nearly as well as, the average to be put into positions superior to all the women. This is hard on the men. And when they are thus placed they are subject to influences that make civic courage hard to come by. It is true that our schools are generally less debauched by politics than is any other branch of city government, yet most superintendents and principals, especially in small places, find that they are safe to come no nearer to efforts at civic reformation than attendance at the regular Wednesday night prayer meeting.

Moreover, all the traditions of the schoolroom are opposed to the methods which are absolutely necessary to the profitable teaching of civics. All over the "enlightened" world, to use the latest geographic slang, teachers carry out the principles of their profession in so cramped a way that the spirit evaporates. "Go from the concrete to the abstract, from the simple to the complex. Create interest by giving play to self-activity." So they teach about dynamic geology by showing a neat hand-specimen of a metamorphic rock, and the evolutionary processes are illustrated by a half-tone engraving of a series of skeletons. When, therefore, a subject, which is but the systematization of social service, and which must be learned by untrammelled action and reaction of life on life, knocks at the schoolroom door, the pedagogue takes fright.

Within the community outside of the schoolroom also there are grave impediments. The zealot who would further a cause is often its worst

foe, and conservatism can throw a more bewildering dust to obscure an issue involving the welfare of children than in any other cause. It is the habit of both the zealot and the "throwback" to use the syllogism thus: "Our children are our precious jewels. This measure will hurt our children. This measure should not be carried." Then they spend their strength on proving the major premise, which none disputes, omit any discussion of the minor premise, which is the crux of the question, and cry "Q. E. D." This sort of hysteria is likely to cause school officials to be wary of the most innocent innovation, lest it lead to their destruction. The fact that the newspaper demagogue, who denounces preparation for citizenship through the schools because it takes time from the fundamental three R's, cannot make his subjects and predicates agree does not invalidate his arguments in the minds of his readers.

But the necessity for civic teaching waxes.

In the first place, the evil forces within the civic body have never before been so well organized as now. The ward politician has ceased to be a plain brutal brigand, and has acquired intellectual polish. The cadet in New York is often a lettered person. If it is the province of the secondary school to train young men for leadership, it has fulfilled its purpose frequently to the disadvantage of the led.

Secondly, we have to-day a generally disseminated knowledge of genetics which keeps us conscious that if our young people do not function socially in childhood they will not be able so to function in maturity—that we can only prepare for life by living.

Also, with the foreshortening of both time and space due to modern invention, the unity of the social landscape has become apparent as never before, and the development of civic consciousness has outstripped the ripening of the civic conscience, so that stimulation of new growth is obligatory.

Your task is to propagate this doctrine in the most effective way.

In the community you have the press, you have preaching, and you have books. All these you have used, and do use. A well-organized department, indefatigable in supplying news to the papers, views to the magazines, and books to the publisher, is your costly duty. And to keep on talking so long as you can get reporters to make "copy" of you, and then to take to posters, processions, bombs, or other modern advertising devices, is your business, and will, doubtless, grow to be your pleasure. In assembling yourselves together in congresses and the like, as to-day, you advertise the cause, and you vitalize its espousers.

Within the schools you can propagate interest in the subject by inspiring it in the teachers, and by legislation. If the legislation gets ahead of the interest, your cause is lost. The passing of laws, as has been done all over the United States, commanding the teaching of the injurious effects of alcohol and tobacco, has caused efficient teaching along those

lines only where it has empowered teachers who are *interested* in such subjects to teach them. There is a law in New Jersey that self-protection against undue hazard shall be directly taught for thirty minutes in each month. A member of the citizens' committee visiting a school asks the principal, "Have you carried out the law?" "Yes," says he, and adds with a wink at the back of the departing visitor, "I'm sure it took thirty minutes to restore order when Sammy cracked his head against the fence, and I'm sure every pupil heard me tell him he was a heedless fellow and deserved what he got. Wasn't that direct teaching?"

There is nothing so easy to get as freak legislation of this sort, nothing so hard as to get legislative commands carried out by unsympathetic administrators, and nothing so dulling to the moral sense as to know a law and heed it not.

The education of the schools through the community and of the community through the schools by a group of people representing the next phase of civic thought is a process fraught with dangers.

If pressure from outside is put upon a teacher, she is apt to resent it. Teachers are entirely too docile in obeying official commands, but quick to resent coercion from those without authority, particularly in matters of morals, manners, and ethics, which they regard as matters of personal liberty. I do not need to suggest that co-operation with every friendly agency of righteousness is wise.

Above all, do not mistake friend for foe. When I first, as a little girl, "went into history," I wept over the battles as recounted in Goodrich's "Pictorial History of the United States," being moved to tears indiscriminately by Indian massacres of the whites or the sacking of Indian villages. Anon I became so hardened that I bore with equanimity the slaughter of my country's enemies, and shed tears only for American or Union losses. But I never became reconciled to the awful tragedy involved in "Confused by the smoke of battle our men mistook their own forces for the enemy, and the field was covered with the dead shot by their allies." In the battle of social forces this happens continually. Beware of it.

The socialist may not have a program identical with yours, but in this matter of educating the children to a broader comprehension of the term "thy brother" and to habits of ready service of the commonwealth, he is one with you.

Neither is the feminist necessarily seeking to exploit her ego. A late graduate of Smith tells me, "I am wild for something to do. I practise, and sew, and raise plants, and play bridge, and it doesn't use up my energy at all. They put me on the town improvement, but all they do is to meet once in a fortnight and petition the council to remove the garbage. What I'd like to do is to get together a gang of girls and remove that garbage my own self." She too wants to serve. Her brother

knows how, but she has not yet found the way. The fact is, out of the matrix of the home, twin crystals have developed and the girl is just as ready as the boy to cease being an undifferentiated atom in an amorphous mass called the populace, and to awaken to consciousness as one individual in a collection of related units called the people. Use this emotion and this energy to further your cause. Do not fight it because it does not bear your label.

As to devices:

Get out, through a well-equipped committee, a general program by all means, but I beg of you make it simple. The program published by one of your learned members and reported in your proceedings for 1909 overawed me. When I read it I came near telegraphing that I could not come here to-day. And if it thus abashed a veteran, how, think you, will it affect little Miss Snooks, fresh from the Oswego normal school, note-book in hand, prepared to teach phonics, physical culture, art, literature, language, nature, and sex-hygiene, but as yet uninformed upon laboratory methods in elementary civics? Have mercy on us, and make the general program a skeleton program that we may fill it out when we ourselves are fuller.

Write text-books. It is a good, though not a lucrative occupation. And the more written, the more read. The text-book addressed to the pupil endangers the style of teaching, prone always to degenerate into book work and lip service. The text-book written for teachers' use, the publishers are loth to accept, since there is little profit in it. The text-book which your own society publishes will not be circulated, for you have not the agents to push it.

The general program should guide, and several text-books inspire the local study.

In Newark we have the local study in perhaps as perfected a form as can yet be found. It exemplifies the multiplicative power of one germ. We have in Newark a man. His name is John Cotton Dana. When I was supervisor in the grammar grades of the Newark schools, he suggested to me, "Couldn't you have your children write some compositions about Newark?" So, in making out the course of study, I made one feature of Newark obligatory as a composition subject in each semester—the hospitals of Newark; the schools of Newark; our firemen; a beautiful spot in Newark, and the like. That was the beginning.

Then Mr. Dana got Mr. Urquhart, of the Newark *Sunday Call*, to write three pamphlets upon Newark's history. It took two years to get them, and then the board of education took over the publication and made their study a part of the history course.

My composition subjects had sent teachers to the library for information, so that Mr. Dana—who is the city librarian—had city statutes

and condensed information upon certain subjects mimeographed and supplied to the teachers in sets of fifty sheets.

J. Wilmer Kennedy, assistant superintendent of schools, wrote and compiled this book—"A Study of Newark"—for the teachers' use. And these pamphlets, amplifications of the mimeographed sheets, written mostly by the library staff, are supplied by the city in sets of forty or fifty for reading by the pupils, in connection with his book.

And so the local study has been made well nigh complete.

The culminating point it is impossible to reach without referring once more to the pre-eminent importance of having the right sort of teacher. All these devices—formal general program, text-book, local study—will be of no avail if in each class the spirit of citizenship be not found. What the child does in his tiny social sphere, in what spirit he does it, and what fruit of his effort he sees—these are the vital matters.

In the kindergarten class, when the teacher says, "What shall we do for Johnnie who is ill?" and some child says, "Send him our pictures," and the scrap book of the day's work is carried by a representative committee *chosen by the children*, we have our elementary civics in living form. When Mrs. Smith complains that boys from the Dwight school have stolen her pears, and at a mass meeting, presided over by the president of the eighth grade class, the thieves confess, give what they can in restitution, are helped by public spirited neighbors possessing pennies, go out and buy a basket of fruit, and, led by the president, go in a body to say, "We are the sinners, but the school doesn't stand for such doings, and we've come to apologize and ask you to accept this fruit as a proof of our regret," and when, coming back, they report, "She didn't want to take it, but we made her," then you have civic conscience in wholesome action.

The schools are full of just such happenings, unrecorded, their instigators unconscious of their real significance. Whether recognition of them would do good or harm is hard to determine. The modern tendency to evaluations makes us wish to see their sum in symbols.

But we must not be impatient. This is a long road upon which we have entered. You have not planted a bed of pansies whose flowers you may wear in your buttonhole within a few weeks. You are engaged in sylviculture. And it will doubtless be your children's children who will sit under the shade of the trees that you in these years set out.

LOUISE CONNOLLY.¹

¹Educational expert of the Free Public Library, Newark, New Jersey, and of the Newark Museum Association and secretary of the Moving Picture Commission of New Jersey.

CIVIC EDUCATION AND THE NATIONAL BUREAU OF EDUCATION

AS a part of its varied activities, the National Municipal League has had for several years a series of committees to investigate the extent and quality of civic education in the schools and colleges. These investigations have revealed an appalling ineffectiveness of most of the training given in this line, an almost universal desire on the part of the schools to do something better and to get help in doing it, with only here and there noteworthy examples of really effective work.

There is need for a kind of training that will cause boys and girls to understand that they are citizens now, and not merely "going to be" citizens some day; that will give them first-hand knowledge of the community in which they actually live and a vital interest in their relations to it, in place of drill in text-book facts; that will cultivate the qualities of citizenship, instead of giving mere information about the mechanics of government.

This year the league's committee on civic education recommended that if the investigations of the past were to be of value, positive efforts must be made to foster this vitalized type of civic training, both through the schools and through other agencies that have a civic educational opportunity.

The council and the executive committee approved the plan, and the chairman of the committee was employed, as its secretary, to give his entire time to the work.

The central feature of the plan of work is to make available to every school, or other agency interested in civic education, the best thought and experience found anywhere. This involves a careful study of the best that is now done in any place, arriving at fundamental principles, formulating such methods as will be most sane and economic, and then propagating them through printed bulletins and by personal visits of the secretary and others.

It was an essential part of the plan to co-operate as fully as possible with school authorities everywhere. With this in view the committee sought the co-operation of the National Bureau of Education. The United States commissioner of education promptly showed his keen interest in the matter by appointing the committee's secretary a collaborator in the bureau, giving him and his assistants an office there and making him the bureau's specialist in this field.

The commissioner of education has issued the following statement regarding the activity of the bureau in this matter:

"With the co-operation of the National Municipal League and other organizations long interested in the problem of education for citizenship,

the United States Bureau of Education is undertaking a comprehensive study of the whole problem of civic education. The work will be under the immediate direction of Arthur W. Dunn, now of New York, who made for himself a national reputation some years ago by his work in this subject in the public schools of Indianapolis.

"In this field of activity the government bureau of education hopes to do officially and systematically what has heretofore been attempted by a number of organizations working independently. Many civic associations throughout the United States have been agitating in behalf of education for citizenship; valuable results have been obtained; and many communities have made important experiments in improving citizenship through the schools and through other agencies. The bureau will seek to co-ordinate these hitherto separate efforts; to bring co-operation where independent action has prevailed; to make known everywhere the results of civic education so far accomplished; and to formulate a constructive plan for definite work in this important field.

"One of the most pressing problems in citizenship education is that of properly equipped teachers. There are few teachers that have had the requisite special training. It will be one of the vital tasks in the new work to find out what can be done to train men and women, whether already in the service or just preparing to teach, for the definite responsibilities and possibilities of direct instruction in citizenship.

"Present methods of teaching civics will be carefully investigated. Whether it is sufficient that children should know how the president is elected, or that they should be able to recite the constitution; to what extent modern social and civic questions—clean streets, pure water, milk supply, fire protection, means of transportation, co-operation, suffrage, divorce, etc.—are to be considered: these are the sort of questions to which the new corps of investigators will have to give some attention.

"Special effort will be made to report the many attempts on the part of progressive communities to give all school subjects a more definite civic value. In Kansas City, Kansas, for example, the chemistry course in the high school is in effect a course in practical civics—such things as water and milk analysis, with their significance in community life, are emphasized, and high-school students serve in the municipal laboratories. Cleveland teaches municipal problems in the biology course. Indianapolis has a course in 'community arithmetic' in the elementary schools. Vocational education and school hygiene both have civic phases of immense importance. These and other practical matters in citizenship training will be carefully examined.

"In announcing the bureau's new work Commissioner Claxton points out that in the larger sense all education is really education for citizenship; that not only is citizenship training coextensive with effective education

in general, but that 'the final justification of public taxation for public education lies in the training of young people for citizenship.'"

This campaign of the bureau of education in behalf of better training for citizenship is an important result of the committee's preliminary work, which will in the future be continued through its most appropriate channel, the National Bureau of Education.

The secretary of the committee, who should be addressed at the bureau of education in Washington, will be glad to furnish further information and its publications, as they are issued in conjunction with the Bureau of Education, to any who may apply for them.

The importance of this new work should appeal to the interest of every member of the league.

LOCAL SELF-GOVERNMENT AND THE FOURTEENTH AMENDMENT

IN THE governmental activity of our country the most acute problems of democracy are found as outgrowths of the development of the civic life of the cities. Not only are we fast ceasing to be a rural people from the standpoint of population but the cities are attracting our strongest men, and in the cities there is being developed a stronger social consciousness and a higher political idealism. The movement for municipal home rule is a part of this awakening to the greater possibilities of democracy.

There are many obstacles that confront it. As the matter stands today in nearly all of the states the city is a corporation created by the state legislature and subject to the state in every respect. The rural population, therefore, in every state has a voice in the government of the city, even in purely local matters, in which the state at large cannot be practically interested. The remedy for this situation is of course so to amend the state constitutions that the cities will be empowered to govern themselves as to matters of local interest. Then the city could adopt its own constitution, govern itself as it saw fit, make its own experiments, and profit by its own mistakes.

Those who have been striving to obtain home rule for the cities have found their chief obstacles in the form of hostility of the state legislatures and the state courts. This hostility has been due, in the courts, largely to the application of an ultra-conservative political philosophy; and in the legislatures to this and to certain reactionary and sometimes corrupt forces. However, in this paper we wish to direct attention to another obstacle to local self government, one further removed than the state but one far more powerful. It is found in those words of the fourteenth amendment to the constitution of the United States which read: . . .

"nor shall any state deprive any person of life, liberty, or property without due process of laws, nor deny to any person within its jurisdiction the equal protection of the laws."

This provision cannot be used to circumvent the home rule movement except in those instances where all the agencies of the state are favorable to such a movement. Where the state itself obstructs the movement, either through the legislature or the courts, there is no further appeal possible. But where the state is favorable to such action and upholds it in a concrete test in its courts, then it is always possible, having already claimed the protection of the fourteenth amendment, to prosecute appellate proceedings in the supreme court of the United States. This is done by the party aggrieved complaining that he has been deprived of his liberty or his property "without due process of law," or that he has been denied the "equal protection of the laws," or both.

Within the last ten years this kind of litigation under the fourteenth amendment has reached large proportions. If the states themselves were more favorable to city home rule many more cases would reach the national tribunal. Every phase of the civic life of the city has already been thus questioned. This has included among other things, matters of street paving, street franchises, street widening, street opening, water rates, gas rates, telephone rates, street car fares, taxation of corporations, height of buildings, billboard-advertising, disposal of garbage and other such problems. (For the cases in which the state was positively restrained see my paper. Federal Intervention under the Fourteenth Amendment. *Yale Law Journal*, April, 1912.)

In our treatment of this subject at this time we shall use only one illustration, the case of *Eubank v. Richmond*, 226 U. S. 137; reversing 110 Va. 749.

This case is chosen as an example not because of its intrinsic importance. It attracted little or no attention at the time it was decided. It is chosen because it is a clear illustration of the point under discussion. No question is involved save that of the relation of the fourteenth amendment to local self government. Furthermore, the opinion is stated without the complication of citing a long line of precedents, and is unanimous. It is also a recent case, the final decision having been rendered in December, 1912. It has the advantage, therefore, of freshness, representing as it does the present attitude of the supreme court of the United States.

On March 14, 1908, the general assembly of Virginia passed an act giving cities and towns the power, among other things, . . . "in particular districts or along particular streets, to prescribe and establish building lines, or to require property owners in certain localities or districts to leave a certain percentage of lots free from buildings," etc. (Acts 1908, p. 623 f.)

By virtue of this act the city council of Richmond passed the following ordinance: "That whenever the owners of two thirds of the property abutting on any street shall, in writing, request the committee on streets to establish a building line on the side of the square on which their property fronts, the said committee shall establish such line so that the same shall not be less than five feet nor more than thirty-five feet from the street line . . . and no permit for the erection of any building upon such front of the square upon which such building line is so established shall be granted except for the construction of houses within the limits of such line." A fine of not less than twenty-five dollars nor more than five hundred dollars was prescribed for a violation of the ordinance. It will be seen that the discretion for the exact place of the line, within the prescribed limits, rests with the street committee; but the street committee has no power to refuse to fix a line when once the proper petition is filed. The fixing of a line thus becomes mandatory, the exact place only of the line being discretionary.

Eubank, the plaintiff in error in this case, was the owner of a lot thirty-three feet wide on the south side of Grace street, between twenty-eighth and twenty-ninth streets. The majority of buildings on that side of the block were erected on a line fourteen feet from the line of the street but no official building line had been established. In December, 1908, Eubank began to plan and to take practical steps toward erecting a detached brick dwelling on his vacant lot.

On January 9, 1909, the street committee being in session, the owners of two thirds of the property on the side of the square where Eubank's lot was situated, petitioned for the establishment of a building line on the line of the frontage of the majority of the houses, which was, as has been stated, fourteen feet. The petition was granted and the building inspector was notified to fix the line. In the meantime it appears that Eubank had erected or begun to erect his building. He was notified by the inspector that the line had been fixed at fourteen feet from the true line of the street; that a part of his building projected three feet over the line as established and that he would be required to set his building back to conform to that line.

Eubank appealed to the board of public safety, which sustained the building inspector. He was then brought before the police court where, after a hearing he was fined twenty-five dollars. He appealed to the Hustings court—a court of record in the city of Richmond—which sustained the police court. He then appealed to the supreme court of the state of Virginia where the decision of the Hustings court was affirmed. The supreme court of Virginia upheld the statute and the ordinance on the ground that it was a reasonable exercise of the police power of the state to delegate such power to the city councils, and further that such power had not been abused in this instance. To quote from

the opinion: "So in the present case, the statute is neither unreasonable nor unusual, and we are justified in concluding that it was passed by the legislature in good faith, and in the interest of the health, safety, comfort, or convenience of the public, and for the benefit of the property owners generally who are affected by its provisions; and that the enactment tends to accomplish all or at least some of these objects." (110 Va. 749.) This decision was rendered March 10, 1910, one year and two months from the time of the commencement of the controversy.

Eubank, nothing daunted, and all the while claiming protection under the "due process" and "equal protection" clauses of the fourteenth amendment, prosecuted his appellate proceedings—by way of writ of error, to the supreme court of Virginia—to the supreme court of the United States. On December 2, 1912, nearly three years after the final decision in Virginia, the supreme court of the United States reached this case and handed down an opinion declaring the ordinance unconstitutional under the fourteenth amendment, thereby reversing the Virginia courts and sustaining the contention of the plaintiff in error, Eubank. The decision was based on the ground that such an ordinance was an unreasonable exercise of the police power in that it gave one set of property owners control over the property rights of others. "In other words, part of the property owners fronting on the block determine the extent of the use that others shall make of their lots, and against the restrictions they are impotent. This we emphasize." (226 U. S. 143.) The court then goes on to say that the two-thirds property owners, having full power to fix a building line, might act from purely selfish motives, or from considerations of taste or even capriciously; that in fixing building lines in the various blocks of a street there might grow up a zigzag line of frontage according as the sentiment in the various blocks might differ.

This case is important only as an illustration of a great principle of democracy. It brings up in a concrete way the whole problem of local self government. It even leads one to ask the question whether—as long as the present procedure under the fourteenth amendment lasts—there can be any such thing as local self government in a real sense. If every city ordinance, even every little act of local government exercised by the citizens of a city block, can be brought to Washington to test its validity, have we anything but the shadow of home rule? Are we not in that position where we must look outside of our own particular community to some supervisory power to tell us what we can do and what we cannot do?

The writer does not share the opinion of those who think that this is all quite proper and that what we need is more appeals to the supreme court of the United States and not less. We most emphatically take issue with those who hold that the *summum bonum* in government is a harmony superimposed from above and without. Let us rather take

the high ground that good government is no substitute for self government. That each community should be allowed to make its own experiments, and, it may be, its own mistakes. (Cf. my paper, "Contemporary British Criticism of the Fourteenth Amendment." *South Atlantic Quarterly*, July, 1913.) Does not life—in its every field of activity—teach us that only thus can a body grow strong? The community must be free to choose and free to act if it must also be free to grow. We should be willing to trust these local problems to the community in which they arise and to which they belong.

Upon what principle then does the supreme court of the United States operate under the fourteenth amendment? Here we are concerned primarily with the interpretation and the application of the words, "Nor shall any state deprive any person of life, liberty, or property without due process of law." The words "due process of law" are as old as Magna Carta. Around them have grown up a legal literature and there is still much to be said. We shall not attempt here to enter into history of the development of this concept. There was a time—before they were incorporated into the fourteenth amendment—when these words were considered fairly easy of interpretation. "Due process of law" meant done in an orderly manner according to approved and commonly accepted forms by a competent governmental agency. They were literally synonymous with their ancient equivalent "the law of the land."

But now their new setting has given to them another meaning. They create in our constitutional system a problem than which no other is so complex, so elusive, and so impossible of definition or orderly statement. (Cf. my paper "Stare Decisis and the Fourteenth Amendment." *Columbia Law Review*, November, 1912.) The supreme court attempts no definition. The reason is not far to seek. This term—in its setting in the fourteenth amendment as a restraint on local government—has ceased to be a legal concept at all. It has become a political concept. Back of each decision of the supreme court by way of interpretation of this clause is an unexpressed political philosophy. This we shall endeavor to show by a further application of the case we have chosen as an illustration.

The legislature of the state of Virginia passes a law under which the city of Richmond passes an ordinance. The city council of Richmond was a duly organized body acting in response to public opinion in the usual and orderly manner. The citizens of the block acted strictly in accordance with the ordinance. Before any act of enforcement was attempted the law under which the ordinance was enacted had met the approval of both houses of the Virginia assembly and of the governor and the ordinance had received the consideration of the city council, the citizens of the block in Grace street, the street committee, and the building inspector.

After the objection of Eubank ample appeals were allowed. The board of public safety, the police court, the Hustings court and the supreme court of the state each in turn gave the ordinance and the complaint careful consideration and upheld the ordinance as a valid exercise of the police power of the state. In the common acceptance of the terms there was nothing illegal or extra-legal here. From a purely legal point of view there was "due process of law" in every step in the history of this controversy. Virginia—herself older than the federal government by more than a century—had acted according to her custom in passing laws.

This law is now brought to the bar of the supreme court of the United States and there questioned under the fourteenth amendment. That court decides that the law is void in that it is not "due process of law." The reason given as to why it is not according to "due process" furnishes the key to the situation. It violates the "due process" clause in that it is an "unwarrantable exercise of the police power." The court here did what it disavows ever doing. It exercised a political rather than a judicial function. It passed upon the wisdom and the expediency of this legislation. It disagreed with the state of Virginia as to the practicability of this ordinance. It vetoed it, and in so doing decided not a point of law but restrained the state in a matter of governmental policy. (Cf. W. F. Dodd, "Social Legislation and the Courts," *Political Science Quarterly*, March, 1913; Goodnow, "Social Reform and the Constitution," page 247; Henry R. Seager, "Restrictive Labor Legislation," *Political Science Quarterly*, Volume XIX, page 589.)

This new development of our constitutional system shows a tendency toward an unwholesome centralization of federal power. The past two decades has seen the fourteenth amendment take on a marvelous vitality. Litigation under it has steadily increased. It is incumbent on congress to check this abnormal growth while it may.

The writer feels that it will not be amiss to repeat here what he has elsewhere advocated. It is proposed that congress, under article III, section 2, of the constitution, enact a law which will have the following effect, viz:

1. To limit the rights to writs of error to the state courts, under questions of "due process of law" or "equal protection" only to those cases where the state court of final jurisdiction is divided on the question.

2. To prohibit to the federal district courts the power to assume, by virtue of these clauses, jurisdiction of any injunction, *habeas corpus*, or any other high or extraordinary proceeding by way of restraint upon or intervention into the affairs of the states.

3. To provide that no state law or procedure shall be declared unconstitutional by the supreme court of the United States as being repugnant to "due process of law" or "equal protection" except by a unanimous

opinion of that court. (For an elaboration and defence of these proposals see my volume on "The Fourteenth Amendment and the States," pp. 166-182.)

CHARLES WALLACE COLLINS.¹

Washington, D. C.

THE UNEARNED INCREMENT TAX

THE scheme worked out by the New York Commission on new sources of city revenue for the taxation of the unearned increment is at once a model of simplicity and applicability to American conditions.

Briefly stated, the proposed plan is to assess and tax annually all increment accruing in the future in the same manner that existing site values are now assessed and taxed. In the imposition of the tax no heed is paid to sale or transfer of title. In real estate assessments in New York, the site value is separated from the improvement value. The commission proposes to make the site value as determined by the Department of Taxes and Assessments for the year 1912 the standard by which to measure all future increment, the assumption being that the valuations fixed by this department fairly reflect the current market values. Taxation of the increment in no wise exempts or relieves a parcel from payment of the ordinary real estate tax, the new tax being an addition thereto, although imposed only on that portion of the site value accumulated after 1912. The tax is at the rate of 1 per cent.

If the assessed value of a parcel, for instance, should rise from \$100,000 in 1912, to \$110,000 in 1913, the owner would pay a tax of \$100 on the \$10,000 increment in his assessment in addition to being taxed at the rate of 1.83 per cent, or \$2,013, on the value of his site.

Increment arising from improvements, such as grading, sewerage, paving, etc., the cost of which has been borne by the owner, are, to the extent of such cost, deducted from the increment assessed. The increment assessed in any particular year is, therefore, the difference between the site value assessment for that year and the site value assessment for the year 1912, after deducting the cost of improvements made during the interim. To illustrate: If the value of a piece of land should rise from \$100,000 in 1912, to \$110,000 in 1913, and the owner could show that he had spent \$4,000 in permanent improvements, either upon his own initiative or in payment of special assessments levied by the municipality, he would be taxed on an increment of only \$6,000; and the base value of the land for the future assessment of increment would thenceforth be \$104,000 instead of \$100,000.

¹ Member of the Alabama Bar.

Examined from every point of view, the tax recommended by the commission on new sources of city revenue is an infinite improvement over the English or German method of taxing the increment in site values. It differs most radically from the tax in either of these countries. In England and Germany the state in consideration of a lump sum payment parts forever with its right to appropriate these unearned values. Under the suggested plan the state would retain a rent charge in perpetuity on all increment.

As a revenue measure, the proposed tax has a vast advantage over the English or the German tax. As applied in these countries the revenue produced by the tax is almost entirely dependent upon the real estate market, and, therefore, subject to the most violent fluctuations.

In Frankfort-on-Main, for instance, the tax produced \$88,491 in 1905; \$158,020 in 1906; \$73,883 in 1907; and \$23,915 in 1908. In Cologne the tax yielded \$71,794 in 1906; \$96,283 in 1907; and \$17,382 in 1908. The revenue derived from the tax has fluctuated just as violently in other cities as in these two.

The tax recommended by the commission would produce a revenue which in its amount would be easily calculable from year to year. Its yield, moreover, in addition to being steady, would increase in amount. The Department of Taxes and Assessments estimates that site values in New York City increase at the rate of 4 per cent per annum. The proposed increment tax would reduce this increase to about $3\frac{1}{2}$ per cent. Assuming this rate of increase to continue, the proposed tax would in thirty-two years yield a revenue equal to a 2 per cent tax on the present assessment of ordinary land values.

The following statement¹ shows the annual assessed valuation of land in New York City in 1906-1913, inclusive, the annual increase and the annual per cent increase in such assessment, and the cumulative amount by which such assessment has been increased since 1906. The statement also shows the estimated amount of such cumulative increases in the assessment after allowing for the depreciation that would have been effected in rising land values by an increment tax of 1 per cent, the amount that would have been lost in real estate taxes on account of such smaller assessments; and the product of such increment tax with and without allowance for the real estate taxes lost because of its imposition. The calculations are on the basis of a prevalent rate of interest of 5 per cent; a tax rate on ordinary land values of 1.83 per cent; and an increment tax rate of 1 per cent.

¹ This statement, which was prepared by the writer, appeared in the report of the Commission on New Sources of City Revenue. The second statement appears here for the first time.

	ASSESSED VALUATION OF LAND	ANNUAL INCREASE IN ASSESSMENT	PER CENT INCREASE IN ASSESSMENT	CUMULATIVE INCREASE IN ASSESSMENT OF LAND SINCE 1906	CUMULATIVE INCREASE IN ASSESSMENT AS DEPRE- CIATED ON ACCOUNT OF INCREMENT TAX	AMOUNT LOST IN REAL ES- TATE TAXES ON AC- COUNT OF DEPRECI- ATED AS- SESSMENT	AMOUNT OF INCREMENT TAX AT ONE PER CENT	AMOUNT OF NET REVE- NUE OB- TAINED BY AN INCRE- MENT TAX OF ONE PER CENT
1906	\$3,367,233,746							
1907	3,558,893,954	\$191,660,208	5.8	\$191,660,208	\$167,310,245	\$445,604	\$1,673,102	\$1,227,498
1908	3,843,165,597	284,271,643	7.9	475,931,851	415,148,728	1,112,331	4,151,487	3,039,156
1909	3,885,727,207	42,561,710	1.1	518,493,561	452,247,715	1,211,804	4,522,747	3,310,943
1910	4,001,129,651	115,402,444	2.9	633,896,005	552,938,661	1,481,519	5,529,386	4,047,867
1911	4,555,925,277	554,795,626	13.3	1,188,691,631	1,036,879,162	2,778,168	10,368,791	7,590,623
1912	4,563,357,514	7,432,237	0.2	1,196,123,868	1,043,362,196	2,795,538	10,433,621	2,638,083
1913	4,590,082,350	27,534,836	0.6	1,223,658,704	1,067,380,447	2,859,882	10,673,804	7,813,922
Total						\$12,684,846	\$47,352,938	\$34,668,092

The following statement shows the cumulative increase in the assessed valuation of land in New York City from 1906 to 1913, inclusive, as depreciated by an annual increment tax estimated at rates varying from 1 to 5 per cent; the amount of the ordinary real estate tax on such depreciated assessments; the amount lost in real estate taxes on account of such depreciation; and the product of such increment with and without allowance for the real estate taxes lost because of its imposition. The calculations are on the basis of a prevalent rate of interest of 5 per cent; and a tax rate on ordinary land values of 1.83 per cent.

PER CENT OF INCREMENT TAX	CUMULATIVE INCREASE IN ASSESSMENT AS DE- PRECIATED ON ACCOUNT OF INCREMENT TAX	AMOUNT LOST IN R. E. TAXES ON ACCOUNT OF DEPRECIATED ASSES- MENT	AMOUNT OF INCRE- MENT TAX	AMOUNT OF NET RE- TURN OBTAINED FROM INCREMENT TAX
0	\$1,223,658,704			
1	1,067,380,447	\$2,859,882	\$10,673,804	\$7,813,922
2	946,499,309	5,072,007	18,929,986	13,857,979
3	852,247,090	6,796,823	25,567,412	18,770,589
4	771,707,193	8,270,703	30,868,287	22,597,584
5	706,474,125	9,464,468	35,323,706	25,859,238

The amount of revenue produced by the increment tax would have been larger than is shown in either of these statements, for here it is computed only upon the net increase in the assessed valuation, whereas in operation it would have been levied upon the total increment in land values.

By taxing all increment at a uniform rate, whether the period of its accrual be long or short and whether the per cent of increment be large or small, the tax recommended by the commission meets all the canons of taxation that can be applied to a revenue measure of this character.

Instead of vesting the control of the taxing power in the state, the English and German methods lodge it in the real estate market. Those individuals who prefer an "occasional" to an annual increment assessment, it is true, have not yet ventured to advance the subserviency of the taxing power to the caprices of individual landowners, a result which their proposal would bring about, as an argument in their favor. This in a measure, however, probably explains their partiality to that method,—the landowners who have resigned themselves to some kind of tax on the unearned increment are naturally predisposed to one that would make its payment optional with them. But as a matter of sound financial policy the state cannot afford to be a party to any such treaty. That would soon make the increment tax as unequal, discriminatory and farcical as the present personal property tax.

The nature of a tax on the unearned increment is obscured and lost sight of when it is subject to an "occasional" imposition since the ripening of the unearned increment is not dependent upon any "occasion" whether it be one of sale or one periodically recurrent. The increment must necessarily have fructified before being realized at a sale; the increment certainly does not arise from the sale,—it may have matured a long time before the exchange took place. Deferring the imposition of the tax until there is a transfer in ownership, when the tax may be assessed synchronously with the ripening of the increment, is to that extent a subversion of the principle on which the tax is based. If the community is at all entitled to share in community-created values, it is also entitled to share in them at the time it creates them and not twenty, thirty years, or a lifetime, afterwards as under the English and German methods of taxing the unearned increment.

An "occasional" assessment of the increment, moreover, results in unequal tax contributions on the part of different owners. To illustrate: two adjacent plots of like value but different ownerships may within a year through the completion of a great public improvement have their respective values doubled. One owner sells his property at once; the other waits, let us say, twenty years. Although these two owners will have enjoyed the same amount and per cent of increment within the same period of time, the tax enacted by the state (assuming the tax to be of a flat rate regardless of elapsed time) does not subject each to the same burden. The latter will be able to pay his tax out of the compound interest on the amount of such increment tax, the payment of which he deferred by withholding his property from the market for twenty years and still have a little surplus to spare. If the tax is graduated on a regressive scale according to the time elapsed since the last "occasion" the disproportion in the two tax contributions will, of course, be perpetrated in a greater degree.

Since all unearned increment has its source in the growth and industry

of the community, the community has just as much right to a small increment as to a large one, to an increment that has matured over a long period of time as to one that has matured over a short period of time. Graduating the tax rate in an inverse ratio to the accretive period or in a direct ratio to the percentage of the increment is not consonant with this principle. Any deviation from a flat rate tax on all unearned increment is to establish a differential tax rate in favor of the central owners to the prejudice of those on the periphery. Land in the center of a city having more nearly attained its full development than that on the circumference is relatively not subject to as rapid or to as large an increment as that in the suburbs. A tax graduated with much nicety to the accretive period and the per cent increment would reach only the more rare and phenomenal increases in the heart of a city. Increases in the suburban site values, though not any greater in their absolute amount would, on the other hand, generally be taxed at the maximum rates.

No greater weight should be given the individual's ability to pay taxes under the increment tax than under the ordinary real estate tax. If the state were to consider the tax in a subjective manner, it would logically have to proportion the rate not only to the amount and per cent increment but also to the individual's other income and property. The German tax, which is graduated on a progressive scale according to the per cent increment and on a regressive scale according to the time elapsed since the last assessment, is a most inconsistent application of the basic principle that should underly a tax on the unearned increment. Properly speaking, it is not a tax on the unearned increment in site values at all; it is a hybrid tax, a cross between a tax on profits and a tax on income.

The German method of taxing the increment is bad enough; but in some respects, the English is worse. In exempting an increment of 10 per cent, it enables the owners, if they possess a little shrewdness in calculation, to dispose of their real estate at the proper time and thus escape scot free. An unearned increment tax that exempts any *unearned* increment from taxation reduces the community's right to share in the values created by itself to an absurdity.

Some opposition to a tax on the unearned increment has been based on the ground that a change in the general range of prices or a fall in the rate of interest would result in an increased capitalization of site values although the productivity or desirability of land remained stationary or even declined. The validity of this objection depends wholly on the method employed in levying and collecting the tax. In England and Germany the "occasional" imposition of the tax may result in the most unequal and iniquitous taxation, as between owner and owner, on account of changes in the monetary standard or in the general scale

of prices, especially during temporary periods of financial or trade disturbances. Some owners cannot fail having their "occasion" at the most inopportune moment, and thereby having a large portion of this pseudo-increment appropriated by the state; others will, undoubtedly, be lucky enough to have their "occasion" when the disturbance has passed and as a result get off scot free. A tax graduated on a scale in proportion to the time elapsed since the last "occasion," as in Germany, only accentuates this evil.

Although an annual tax on the unearned increment would not affect the increase in land values resulting from changes in the monetary standard or in the scale of prices, it would obviate the unequal and iniquitous condition just described. The increase in land values being general and uniform, all owners would be taxed evenly and in proportion to the increased capitalization of their respective holdings. None would be subject to a discriminatory tax. All would, of course, have a so-called increment and be obliged to pay an increment tax, but none would pay a greater amount of taxes in the gross since each would have his ordinary real estate tax reduced by a sum equal to his assessed increment tax. The increased yield of the increment tax would diminish the amount to be raised by general taxation.

A tax on the unearned increment is not to be viewed only as a tax *per se* but also as an expression of a right on the part of the community to share in the values which it itself creates. The more or less equitable distribution of economic rent that is effected through a diffused ownership of site values disappears when their ownership becomes concentrated in the hands of a few. At present only a small per cent of the population in the city of New York receives the benefit of these values.

Of the families residing in the city in 1910, only 11.7 per cent owned, while 88.3 per cent rented, the homes they lived in. Of the families residing in Manhattan, only 2.9 per cent owned the homes in which they lived. In this borough, 97.1 per cent of the families lived in rented homes. Three fifths of the owned homes were mortgaged; hence only 1.2 per cent of the total number of families lived in homes all their own.

In the eighth assembly district of Manhattan, only 93 out of a total of 20,209 families lived in their own homes and 86 of these homes were encumbered by mortgages.

The number of assessed real estate parcels in Manhattan has decreased from 113,526 in 1900, to 95,654 in 1913. During the same period the population increased from 1,850,093 to 2,462,703. While the population increased 33 per cent, the number of assessed real estate parcels decreased 16 per cent.

These facts seem to indicate that it is only a question of time when

the ownership and use of land will be completely divorced, when the whole city will, in effect, stand in the relationship of a tenant to an absentee landlord.

New York City.

HERBERT S. SWAN.¹

WATCHING LEGISLATION FOR THE PUBLIC

THROUGH years of continuous effort the Citizens Union of New York has developed a workable plan and an efficient organization for keeping watch on law-making at the state capital of Albany, and for advocating the enactment of desirable measures and opposing the passage of vicious or ill-considered bills.

This work of the union was started in 1903. Public-spirited lawyers, engaged in a successful fight for the establishment of free transfers on the surface transit lines in New York, discovered that laws had been finding their way into the statute books through the expert lobbying of special interests and that the public seldom understood the purpose or effect of these laws until they had gone into operation. Studying the railroad law, they found innumerable special provisions ingeniously devised to meet particular cases, though couched in general language. In fact, the railroad law of the state was then and, because not yet revised, still is, largely a patchwork of such special provisions. The importance of creating an organization that would watch the work of the legislature for the public as closely as it was watched for the railroads by counsel and paid legislative agents was apparent. The Citizens Union undertook to form such an organization. Its committee on legislation was thereupon organized. A lawyer under retainer was sent to the state capital to represent the committee and keep it informed of the progress of legislative events. Out of this beginning has grown the present thorough-going machinery of the legislative work of the Union.

COMMITTEE ON LEGISLATION

The committee on legislation meets weekly in New York while the legislature is in session at Albany and considers annually an average of about six hundred bills relating to, or affecting conditions in, the city of New York. It is divided into sub-committees, to which it refers these bills for detailed examination and from which it receives reports at its weekly meetings.

Each sub-committee is composed of one or more members and is charged with responsibility for examining one class of proposed legislation. Thus there are sub-committees on electoral legislation, civil

¹Investigator for the Commission on New Sources of City Revenue.

courts legislation, criminal courts legislation, tenement house legislation, railroad and franchise legislation, and a large sub-committee on charter legislation to which are referred charter amendments and bills affecting the structure of the city government that do not fall within the scope of other sub-committees.

MEMBERS BECOME EXPERTS

The personnel of the committee on legislation does not change rapidly from year to year, very few members being added at the beginning of each legislative session, and these selected with the greatest care. Some members have served on the committee since it was first organized and are still serving. The membership usually numbers between fifteen and twenty. Most of the members are lawyers. Those who have been engaged for several years in the examination for the committee of a particular class of legislation have, of course, become expert in that branch. When a lawyer was sought to draft a home rule law,¹ the Municipal Government Association went to the Citizens Union committee to secure the expert. The consolidated election law was edited by two members of the committee; the direct primary bill introduced in the 1913 legislature on behalf of the Progressive party was drafted by another member; and the Massachusetts ballot law enacted in December, 1913, was largely the work of the Union's sub-committee on electoral legislation. These men were selected for this work because of their expert ability. The most valuable criticisms of proposed franchise legislation have frequently come from the committee on legislation. The committee is responsible for numerous safeguarding provisions of the present rapid transit act and for the debt limit law under which rapid transit bonds have been excluded in computing the constitutional limitation upon the city's borrowing capacity.

The work of the committee on legislation consists not only in criticising bills, but also in devising and drafting needed legislation. Its criticisms are frequently constructive. It not only points out the dangerous or undesirable features of bills, but also assists in preparing corrective amendments. Members of the committee are often called into conference with legislative leaders and with representatives of groups seeking legislation on particular subjects.

FUNCTIONS OF LEGISLATIVE BUREAU—PUBLICITY

To make the action of the committee effective, the Union maintains a well-equipped bureau in Albany during each session. This legislative bureau is in charge of the secretary of the committee on legislation, assisted by a staff of legislative experts, clerks and stenographers. The activities of the bureau are more extensive (in respect of the quantity

¹ Chapter 247, Laws of 1913.

of legislation in which it displays interest) and oftentimes more effective than those of any of the corporation lobbies. The agents of the Citizens Union have acquired expert knowledge of the many tricks and devices by which legislation may be advanced or retarded. Such knowledge is essential in order that the significance of each move may be fully understood. But also, the influence of the Union upon legislation is equally due to its facilities for securing publicity. The newspapers and their representatives are for the most part free from influence that might prevent their publishing accurate accounts of legislative events, and the results of Citizens Union investigations receive wide publication in the daily press.

The importance of quick, accurate and complete publicity, cannot be over-estimated. The "sneak bill," as the phrase implies, is always "slipped through" the legislature with the greatest secrecy, "the ways" having been "greased" by the lobby agent of a special interest. If before the bill reaches final passage its purpose and the particular situations to which its provisions apply, and their effect, become publicly known, it is no longer possible to pass it secretly. Public interest and attention are easily attracted to such a bill once it has been publicly exposed; and legislators hesitate to put themselves on record in favor of any vicious measure in the face of publicity in their home districts. Nothing better can be hoped for from a legislature of elected representatives than legislation truly representing the best sentiment of the community; and no important reforms can be fully realized till they have the support of public sentiment. So, in building up an organization for the purpose of influencing legislation, the Union rightly puts its emphasis on the securing of the quickest and widest accurate publicity for all legislative proposals and the action of legislators thereon.

PROVISIONS OF BILLS SUMMARIZED

In order to provide this the bureau some years ago began to prepare summaries of all bills introduced. These summaries tell clearly, and as briefly as clearness permits, what changes each bill would make in existing law. The summary of each bill is prepared on the day of its introduction from the manuscript copy presented to the legislature and is manifolded in mimeograph copies so as to be available for use by all the newspaper correspondents as soon after the introduction of the bill as possible. Many of the summaries are ready for such use within an hour after the bills are introduced. These summaries contain no expressions of opinion regarding the merits of the bills, but merely a plain statement of their provisions. Great care is exercised to employ accurate language. The legislative correspondents have gained such confidence in the accuracy of the summaries that they rely upon them and use them freely in reports to their newspapers. The summaries are also delivered to some public

officials, including the governor's counsel, who find them helpful; and the state library places them in substantial bindings for preservation on its shelves, because no other reports—official or unofficial—contain the same information in an equally convenient form.

The bureau, under direction of the committee, issues public statements and keeps up a running fire of constructive criticism of the work of the legislature. It prepares and publishes analyses of the bills affecting the city of New York. It contends for home rule, sound policies of government, and the protection of the city's interests at every point. Memoranda are filed with legislative committees, with the mayor in case of special city bills, and with the governor, and representatives of the Union appear at hearings upon bills and public questions.²

"TICKLERS" ON PROGRESS OF BILLS

Close watch must be kept upon the progress of each bill, and, because of the great number of measures, this can only be done with the aid of "tickler" card systems and "tickler" memorandum sheets prepared daily from the manuscript journals of the two houses. It not infrequently happens that on a single legislative day the New York legislature acts upon scores of bills affecting New York City, and no human being is capable of keeping constantly in mind the status of the hundreds of bills in which the Citizens Union is interested. Therefore, since there may be an occasion during the progress of a bill toward final passage when the objection of a single legislator will greatly delay its advancement or perhaps even bring about its defeat, the advantage of the "tick-

* Note.—Summaries are made of the provisions of all bills, whether they particularly affect the city of New York and are of special interest to the Union or not; and copies are mailed daily, not only to members of the committee on legislation, but also to a number of civic organizations throughout the state. The preparation of the summaries and certain other branches of the work that consist solely in furnishing information without criticism of proposed legislation, are being performed this year by the Voters Legislative Association, formed several years ago largely through the instrumentality of the Citizens Union and with the aid of some other civic bodies and citizens to extend the benefits of the legislative information bureau so that it may be used by organizations in all parts of the state. Since the scope of the work of the Union is limited to New York City, it is clear that the function of furnishing information to civic workers in all cities of the state belongs more properly to a state-wide organization, and one which has no opinions to express regarding any pending legislation. The Union makes the main contribution toward the expense of the Voters Legislative Association and is the heaviest user of its information service. This service is in charge of men who received their training in the Citizens Union Bureau. The association has heretofore been enabled by private contributions and the use of facilities of the legislative bureau placed freely at its disposal; to keep a number of civic organizations in different cities informed regarding the progress of legislation, as well as to publish bulletins for the information of its members, and annual reports chronicling the principal events of the legislative sessions and the votes of each senator and assemblyman in important issues.

J. O. H.

ler" system which enables the Citizens Union representative to see that objection is made to a bad bill at precisely the right moment, is apparent.

WASTE OF ENERGY AVOIDED

In addition to making as effective as possible the action of the committee on legislation regarding pending bills, the legislative bureau makes up the calendar of bills to be considered by the committee, and facilitates its work in other ways. The most pressing business before the committee is placed upon a "submitted calendar," a copy of which is sent to each member before each meeting. If the calendar of the committee on legislation becomes congested, the secretary puts at the head of the "submitted calendar" of each meeting those bills whose passage by the legislature is most imminent. It always happens that at the close of the legislative session there are bills on the calendar of the committee upon which neither the committee nor the legislature has taken any action. The close watch kept upon the progress of events at the capital enables the committee to center its criticism upon those bills that have a chance of passage, devoting time to the critical examination of other bills only when it has disposed of those that are most imminent.

The bureau keeps files of sub-committee reports, briefs and memoranda prepared each year, and makes this storehouse of information available for the committee in subsequent years. The same bill is frequently introduced in a number of successive sessions of the legislature, and every time such a bill comes before the committee on legislation, it can refer to the files of the bureau for what information regarding it was gathered in previous years.

The work of the sub-committees, also, is facilitated by the bureau. Each member of each sub-committee receives from the bureau a copy of every bill referred to that sub-committee. This makes it possible for much of the work of the sub-committees to be performed without actual meetings. The chairman receives from the secretary in charge of the bureau at Albany a mail envelope containing a number of bills that have been placed on the calendar of the committee on legislation and referred to his sub-committee for examination and report. He divides the work among members of his sub-committee, and telephones to them their respective assignments. The work of detailed examination of a legislative bill is usually better performed, in fact, by a single lawyer or legislative expert, than by a group working together. If the bill is specially important, two or more members of the sub-committee are called upon to examine it separately.

REPORTS ON WORK OF LEGISLATORS

After the close of the legislative session, the committee on legislation makes a final report which is printed for distribution. This report

contains (1) the most complete chronicle of and commentary upon legislation affecting the city of New York that is anywhere obtainable, and (2) a thorough-going non-partisan analysis of the work of each legislator representing a New York City constituency, with a statement of the committee's conclusions regarding the merits of his service. The comments on individual legislators are brief though specific and are usually published in full in a number of metropolitan daily newspapers. Here are some examples:

Active and influential member of majority. Voted to sustain Stilwell charges. Otherwise made poor record of votes. Introduced reactionary primary legislation for machine. Fathered bad railroad consolidation bill.

Voted to whitewash Stilwell and lauded him in speech as a "faithful legislator." Voted against bad police bill and for thorough-going direct primary bill; in other respects made bad record.

Voted to sustain Stilwell charges and made, on the whole, good record of votes except that he followed machine on direct primaries. Record greatly improved over previous years.

Spoke and voted to whitewash Stilwell. On other issues, also, made bad record of votes. Introduced Massachusetts Ballot Bill but made no appreciable effort to secure its passage, and followed machine on direct primaries.

Voted to sustain Stilwell charges, and rendered valuable service in advocating condemnation reform. Made, on the whole, a fair record, although he followed machine on direct primaries.

As in previous years, made himself a nuisance by verbosity in debate, while seldom contributing anything to consideration of bills. Introduced attacks upon merit system in civil service. Thoroughly bad record of votes.

New member. Frequently unrecorded on important roll calls and voted with machine on most other occasions, although on two votes on electoral bills he showed independence. Two of his four bills violated home rule.

New member. Nearly all his proposed legislation thoroughly objectionable. One of the two New York City members to vote against desirable bill to protect city water supply from pollution. Frequently unrecorded on important roll calls, and on other occasions followed machine in his votes.

In seventh term showed no promise of usefulness. Introduced bad legislation affecting uniformed force of Fire Department. Unrecorded on five important roll calls on primary and election bills and on other roll calls followed machine.

New member. Frequently unrecorded, including six important roll calls on primary and election bills. His view of his legislative functions

indicated by his attempt to regulate by mandatory state law the color of uniforms in street cleaning department.

Tables of the votes of New York City representatives on important issues, and other information upon which the conclusions of the committee are based, appear in the printed report.

Before the report is published, each legislator is invited to call at the Citizens Union office, examine the comments upon his record, and offer any objections, criticisms or additional information that he thinks should be considered. The committee then holds a special meeting to consider these criticisms upon its criticisms and makes any changes in the tentative draft of its report that seem to it to be justified. The committee's comments on the work of legislators are given considerable weight by thoughtful voters and have an influence upon elections.

JOSEPH O. HAMMITT.

IS UNEMPLOYMENT A MUNICIPAL PROBLEM?

AT LEAST nine American cities have answered this question in the affirmative by establishing municipal employment agencies. Nineteen states have established state agencies, but in every successful one, the state law empowers the city to establish and operate such agencies.

The rise of the city as a self-governing unit, the growth of the home rule idea, the establishment of public welfare departments in place of the antiquated "charities" still maintained by states, the fact that the city is so largely the source of progressive activities in government and civic organizations, these and many other facts bring to mind certain broad questions which it is pertinent to raise as municipal issues.

There are two broad classifications of unemployed—the employable and the unemployable. At the present time these are greatly confused because we insist upon treating the former as a relief matter, which can never be solved by relief measures, and the latter as an industrial problem which lowers the whole standard of business efficiency. The first need of American government is, therefore, some agency for classification of these groups, a task now handled very inadequately by volunteer organizations.

I am here primarily concerned with the normal amount of unemployment of employable people, due to seasonal occupations, casual labor, changing from one occupation to another, entrance of fresh workers into industry and the distribution of immigrants to industries. Unquestionably the centers of this exchange of labor are the great cities. These cities are of two kinds—those which attract numbers of workers because of large industries, and in which trade schools and special schools flourish,

as Milwaukee, Detroit, Syracuse, Newark, etc. The second include what may be termed reserve cities where the unemployed concentrate, awaiting distribution to new lines of employment—as New York, Chicago, Kansas City and Seattle. The question of whether cities should bear the burden of the second type of unemployment is entirely pertinent.

We cannot be said to have any governmental system—indeed, any governmental intelligence in dealing with the matter of unemployment. Of the nineteen states which have established state labor exchanges, only about four are even comparatively successful. This is due to several causes, inadequate appropriations, failure to regulate private competitive agencies at the time of establishing free agencies, failure to make the state agency the clearing house for all employment exchanges, introduction of politics, objections of trade organizations, fear of their use for strike-breaking agencies, establishment of central offices of administration remotely from labor centers, and failure to establish any co-ordination or proper and prompt exchange of information as between existing agencies. State labor exchanges except where they are properly co-ordinated into a system, as in Wisconsin, stand to-day as a negligible factor in the labor market.

Unemployment is not a municipal problem. It is essentially an industrial problem to be solved by industrial methods. But the fact that industries locate in cities and cities are the reserve centers of labor and distributing points places the city in a curious position. New York City is the distributing point for unskilled labor for the entire country east of the Mississippi, Chicago for the middle west, St. Paul and Minneapolis for the northwest. Richmond is the distributing point for negroes coming north, Memphis for negroes going to central and northwestern points; and New Orleans for the southwest, while San Francisco and Seattle distribute from the western coast. New York City is the main center for theatrical agencies, practically making contracts for the whole country. Four fifths of the unskilled labor handled by New York City agencies is sent out of the city.

The success of any municipal agency must depend upon its efficiency and ability to control the labor market. This will depend to a considerable extent upon the reduction of the number of competing agencies, the protection afforded the unemployed and the ultimate elimination of the *pardroni* among immigrant workmen. Here enters the question. "Shall these agencies be regulated by municipal, state or federal laws?" If by municipal laws, the restrictions are, without doubt, hampering. Where such large numbers of unemployed are sent out of the city the exploitation, the misrepresentation, the fraud are consummated beyond the jurisdiction of the city, the witnesses are distant from the place where the agent must be prosecuted, city funds may not be used for city officers to

travel beyond city limits, and there is no authority to investigate nor power to prosecute by a city officer beyond these lines.

We, therefore, have the questions: "Shall the state establish agencies in cities, retaining control of their administration and establishing communication between them, and licensing and regulating all agencies within the state or shall this be a municipal or federal function? In states like Illinois, Massachusetts, New York, New Jersey and Pennsylvania, the question of distributing the unemployed becomes immediately inter-state because there the cities are immigrant ports and reserve centers for labor. The interest in the subject and the great danger of duplicating machinery and of further decentralization and disorganization of the labor market, which is now a disgrace to the country, make it necessary that the matter be given careful thought. In Cleveland, the city established a municipal agency when the state had already provided a state agency and similar complications might have arisen in Kansas City. Chicago has a state agency and an unemployment commission.

First it is essential to determine the type of agency to be established. The prevailing form is where the government assumes responsibility for sending men who will fit the job. I believe that the government agency should be a meeting place for employers and employees and that it should be a center for the fullest clearance of information but that the terms of the contract and responsibility, therefore, should rest entirely between the employer and employee. We need the elimination of the middleman, not his extension in the guise of a government official. Second, every private agency should use the government agency as a clearing house—by law if necessary. Some of them are so crooked in their dealings that they would not stand such co-operation, but they have no place in a well-organized labor market. Third, advisory committees of citizens, including employers, employees and reputable agents, should serve in connection with such clearing houses, broadening its vision, improving its methods and keeping it out of politics. Fourth, it should be a center of information for gathering statistics, making studies and furnishing publications which would give this country literature on this subject which it does not now possess.

I believe we shall eventually adopt a combined municipal-federal system, with a considerable elimination of the state as a factor. This is due partly to the exigencies of the case. Municipalities are being taken out of politics, the non-partisan movement is being nurtured in our cities and has made little headway in the states. The adoption by cities of the commission form of government, of city managers, and of efficiency methods, naturally makes one turn to them as the best solvers of the problem, combined with the fact that the unemployed center in them. In the five great cities there are more labor exchanges of all kinds than in all of the other states combined.

Cleveland seems to be heading toward an ideal local solution by combining a vocational guidance bureau, an employment bureau and a city immigration bureau in one division. The first guides the child into the right channels when he is ready for work; the second takes charge of the general problem, and the third has the newly arrived immigrant met on his arrival and safeguarded to his destination.

I do not believe any city will efficiently organize its local labor market which does not first possess complete information for the city in the following respects:

(1) Number, adequacy, location, methods, facilities of (1) private employment exchanges; (2) free employment centers; (3) civic, religious and racial agencies; (4) relief societies; (5) governmental agencies; (6) trade and labor agencies.

(2) Extent, operation and effectiveness of regulation of present exchanges.

(3) Means of obtaining employment statistics and of diffusing accurate information.

(4) Facilities for special classes, as children leaving school, handicapped, and methods of controlling mendicants.

(5) Advertising; extent, kind, effectiveness, cost, waste, and co-ordination with a system of distribution of unemployment.

(6) Special schools, combining training with positions.

(7) Vocational guidance, with especial reference to methods of placing children.

(8) Advertising methods and organizations which combine training with positions.

I do not believe a city whose labor market is organized on the basis of the preceding information will control the situation successfully in times of stress unless it possesses information along the following lines and has its mind made up and can put its mind into operation, even long before unemployment reaches the maximum period of stress:

(1) Creation of municipal work; advisability of opening factories; furnishing supplies at cost; operation of woodyards and laundries; increasing work in city institutions and departments.

(2) Relief resources; capacity for expansion on administrative and executive sides, as suspension of regulations, ways of finding people, etc.

(3) Means of reaching immediate results of unemployment; evictions; school attendance; congestion; reduction of efficiency; demoralization through searching for work; relation to health and morality.

I do not believe a city will find a permanent solution of unemployment and will so prevent its seasonal recurrence until it has taken up the following matters and made them the subject of investigation, hearings, conferences and meetings for the purpose of regularizing employment:

(1) Study of seasonal industries and of the application of efficiency methods.

(2) Possible dovetailing of industries, with the burden on the industry.

(3) Study of casual labor and means of prevention—preference tests, scientific planning.

(4) Municipal and state employees—civil service organization, use of reserve lists and decasualization of city department labor.

I have tried to make it clear that however adequately a city may classify its unemployed, referring the unemployable to relief organizations, however efficiently it may cover its local problem, and that would be a great advance, the cities are after all the heart of the nation in the unemployment matter, and it is to-day a national and not a city matter, and action by cities will serve year by year to clear the issues and show the necessity for federal action.

Therefore, I believe that we stand in imperative need to-day of a federal bureau of distribution which shall combine three functions: the establishment of labor exchanges in the reserve labor cities, with full powers for investigation and distribution, which shall also be an information center for the whole country; the establishment of a transportation fund, to be safeguarded in its administration; the regulation of all labor exchanges doing an inter-state business; and third the opening of lands for settlers, to be distributed by the government and the investigation of all land and colonization schemes offered to colonists and settlers.

Without such a system, the municipality will find much of its effort futile and wasteful, for its problem being part of the nation can only be solved by the nation.

New York City.

FRANCES A. KELLOR.¹

¹ Managing Director, Legislative Committee, North American Civic League for Immigrants.

EDITORIAL

FOR the first time *The Editor* of the NATIONAL MUNICIPAL REVIEW is called upon to announce the death of one of his associates on the Advisory Editorial Board—that of Charles Dwight Willard, who passed away at his Pasadena home, on January 22, 1914, at the age of 54. Mr. Willard had been an active and intelligent member of the National Municipal League for many years, serving on its council and its executive and other committees. At all times he was a helpful and thoughtful adviser. In response to a request from *The California Outlook*, the Editor said:

“Willard’s death takes from us one who has been an integral part of the great municipal movement of the past twenty years. His loss will be mourned not only because of its personal bearings, but because of the substantial pioneer and constructive work which with his frail physical strength he was able to accomplish. He was a man of singularly clear perception of public duty and of opportunities for effective advance. He was a good counsellor, a devoted friend and a sagacious leader. My heart prompts me to speak of his brave struggle for life and of what he was able to accomplish in the face of a situation that would appall the average man. Naturally I shall always think of him as a brave fighter and as a helpful coadjutor in the work of the redemption of American cities. May he rest in peace and may the fine example which he set continue to inspire ever larger groups of new citizens.”

Twice secretary of the Los Angeles Municipal League, the last time taking up the work after E. O. Edgerton had been appointed a member of the State Utilities Commission, for months Willard directed his municipal work from his bedside as well as kept up his literary work. He was the author of a history of Los Angeles and of a popular text-book, entitled “City Government for Young People.” For five years he was a contributing editor to *The California Outlook*.

It is with regret that the Editor announces the retirement of two of his associates, Professor Charles A. Beard of Columbia University, and Mr. John A. Lapp, legislative librarian at Indianapolis. Both have been helpful coadjutors. Dr. Beard, not only in his successful editing of the department of Notes and Events, but as a constant adviser has been a source of strength to the Editor in the formative period of the NATIONAL MUNICIPAL REVIEW’s existence. Mr. Lapp by his industry has been of help in gathering interesting and important information concerning legislation relating to cities. Both men retire because of the pressure of other obligations which cannot be shifted.

The Editor takes this opportunity of expressing his sincere appreciation of their co-operation.

Professor Beard will be succeeded by Professor Howard L. McBain, formerly of the University of Wisconsin, now of Columbia University, where he is giving graduate courses in municipal government. Mr. Lapp will be succeeded by Dr. Herman G. James in charge of the Bureau of Municipal Research and Reference of the University of Texas (in which institution he is adjunct professor of government), and secretary of the League of Texas Municipalities.

Professors McBain and James bring to their work on the NATIONAL MUNICIPAL REVIEW a deep interest in municipal questions and a sincere belief in the usefulness of the National Municipal League and the NATIONAL MUNICIPAL REVIEW as important factors in aiding in the solution of difficult problems and the raising of the standards of municipal life.

Professor Beard and Mr. Lapp will continue as members of the Advisory Editorial Board.

NOTES AND EVENTS

PROFESSOR HOWARD LEE MCBAIN, *Columbia University, New York*
Associate Editor in Charge

ASSISTED BY

DR. CLYDE LYNDON KING, *University of Pennsylvania, Philadelphia*
PROFESSOR MURRAY GROSS, *West Philadelphia High School, Philadelphia*

I. GOVERNMENT AND ADMINISTRATION

CHARTER REVISIONS

Commission Government. — *In New Jersey.* It is a compliment to the commission plan, when an effort is made by a leading citizen to have it made mandatory in all the municipalities in a state. Such is the purpose of a bill introduced in the legislature in January. One suspects, however, that Judge Carey's (its author's) heart has run away with his head, for, although government under the Walsh act now in operation in over twenty cities, has apparently produced a vast improvement over the old cities, nevertheless in most communities it has left a good deal to be desired.

Some of the New Jersey towns, including Madison and Montclair, are in fact more interested in the city manager plan than in the old type. In both of the towns mentioned, a group of New York commuters, with a New York business man's appreciation of business principles, have begun to discuss the idea.

A bill has been introduced in the New Jersey assembly, by Assemblyman Joseph B. Bloom of Newark, somewhat similar to the one enacted in Ohio last year, which provided that cities might adopt one of three forms of simplified government—the federal plan, the commission form and the city manager plan. The purpose of this bill is to block the attempts which are being made in Newark to secure the adoption of the Walsh act.

New York Cities. The Municipal Government Association of New York State is planning to press once more its optional city government bill, empowering any

second or third class city to adopt one of six simplified forms of government, including the commission, the city manager and the federal plans. It seems not unlikely that it will meet with success this year, on account of the radical change of complexion of the legislature. Possibly the committee on cities will report this bill for passage as a means of escape from the demands for special charters, of which there is a considerable number. No less than six cities and villages are out for the city manager plan, including Elmira, Dunkirk, Olean, White Plains and Lockport. In addition to these, it is probable that charters will go up for consideration from the cities of Troy and the villages of Saratoga Springs and Batavia.

The Greater New York Charter. The recent victory of the fusion forces has brought again to the fore the matter of charter revision which has so often but so unsuccessfully been attempted within recent years. The leading spirit in this movement is President George McAneny of the board of aldermen and one of the vice-presidents of the National Municipal League. In an address before the Merchants Association, Mr. McAneny declared that the city would not go to the legislature with a finished charter for adoption for perhaps a full year. The plan of the present administration is to watch carefully in the coming months the workings of various departments, with a view to determining by close observation of actual experience what are the most necessary and desirable changes to be

made. At a recent meeting of the board of estimate and apportionment a resolution was adopted, providing for the establishment of a charter commission consisting of the mayor, president of the board of aldermen, comptroller, city chamberlain, three representatives of the board of aldermen, and seven members to be chosen from the city at large.

This future plan has not prevented the city administration from introducing in the legislature bills affecting the powers of the police commissioner, and bills reorganizing the office of commissioner of accounts. The police bills are treated elsewhere in this issue. The one relating to the commissioners of accounts, provides for the establishment of a department under a single head who would be known as the commissioner of administration. This commissioner would appoint two deputies; one presumably a lawyer, whose duties would be to prepare cases for prosecution by the corporation counsel; and the other, a public accountant. The purpose of the reorganization, among other things, is to secure a more systematic and regular investigation of the departments than has been the case heretofore. It is also proposed to add to the dignity of the office by increasing the salary of the commissioner.

The Buffalo Charter. For the fourth time in as many years, an imposing array of citizen-delegations from Buffalo, besought the committees on cities at Albany to please give them a commission government charter. Four years ago it was almost impossible to secure a Buffalo member to introduce the measure. But the light has dawned and the legislature has passed the charter by a large majority in both houses. It now awaits the approval of the mayor.

To Abolish Coroners. The New York Short Ballot Organization has introduced into the legislature a bill to abolish the office of coroner after January 1, 1918. The legal functions now performed by the coroners as the presiding officers of the coroners' court, would be turned over to the city magistrates. The incidental

functions which the coroner performs in certain civil proceedings, to which the sheriff is a party, would be developed upon the city chamberlain. The function of investigation into the causes of violent and sudden death would be placed in the hands of a chief medical examiner, who would have the power to appoint a deputy chief medical examiner and as many assistants as might be required. There are at present in New York City eleven coroners, all elective officers. Their work is decentralized and most of it is of little value, though the expense of conducting the offices amounts to about \$170,000 a year. As in many other places, it has come to be something of a joke, and for a long time has not attracted men of high qualifications. It is the belief of the committee which framed this legislation, that the proposed reorganization will greatly enhance the value of the investigations into the cause of violent deaths to private litigants, to the city, to insurance companies, to the medical profession and to statisticians. If the bills are enacted into law, the reorganization on the medical side will go into effect on January 1, 1915.

The Detroit Charter. On February 10 Detroit voted adversely on the proposed charter submitted to it by the local charter commission. The document was partly progressive and partly otherwise. The commission, when making provisions for elections, recognized the non-partisan principle and went so far as to provide for preferential voting. It also provided for the recall of elective officers on a 25 per cent basis and for the exercise of the initiative and referendum on a 5 per cent petition. The number of aldermen was reduced from two to one from each ward. The provisions for municipal ownership, and the civil service amendments formerly adopted were retained. The health functions formerly controlled by the state were assigned to the city.

The charter was to be criticised in at least one very vital respect: it did not recognize what many modern students of municipal government concede, the need

for unification of powers of government in the hands of a single controlling body. On the contrary, provision was made for a separately elected mayor, city clerk, treasurer, aldermen, constable, three registers of election and three election inspectors from each election district, two justices of the peace and two police justices. The departmental organization was elaborate in the extreme, the financial functions being especially decentralized, in that they are distributed among the departments of (1) finance and accounts, (2) assessment, (3) tax collection. At the head of each of the departments, respectively, was to have been an elected treasurer, a controller, and three assessors appointed by the mayor.

There were separate departments of law, record, assessment, tax collection, finance and accounts, police, fire protection, public safety, correction, public works, parks and boulevards, city plan and improvement, street railways, water supply, public lighting, health, poor relief, recreation, labor welfare and arts. Most of these were headed by a single commissioner, but the fire department was to be managed by a board of four commissioners, the correction department by a board of four inspectors and the department of city plan and improvement by a commission of nine members.

Fully one half of the charter was devoted to a detailed description of the administrative procedure in the various departments, a matter which, under a modern conception of municipal legislation, is tending more and more to be placed in an administrative code, where it can be altered without the cumbersome process of charter amendment.

The St. Louis Charter. A statement issued by the secretary of the board of charter freeholders on February 7 outlined the probable features of the St. Louis charter to be submitted to the people. The board has gone on record, among other things, in favor of the broadest possible corporate powers. It is proposed that the city shall have the right to acquire all public utilities, when-

ever the people so desire. It is provided that the city may organize and maintain all philanthropic, humanitarian, educational, benevolent, charitable or recreative service, which may contribute to the general welfare.

Elections under the proposed charter, unfortunately, are not to be non-partisan, inasmuch as the state laws are made to apply.

The governing body of the city is to be composed of a single house, the members of which will be elected at large; but no two members may be from the same ward of the city. The board would have provided for straight ward representation, except for the provisions of the constitution, which requires that when there shall be but a single house of legislation, its members shall be elected from the city at large.

In addition to the members of the council there will be elected a mayor, a comptroller and a president of the board of aldermen, who, together, will constitute the board of estimate and apportionment—this being a partial imitation of the body of similar name in New York City. The charter will provide for the initiative, referendum and recall. The latter may be invoked if 20 per cent of the registered voters in each of two thirds of the wards of the city sign a petition for that purpose. The recall provisions further require that only the question of removal may be voted upon at the recall election, the question of a successor being submitted subsequently.

The civil service provisions of the charter have not as yet been entirely decided upon. One question under discussion is whether the entire eligible list will be submitted to the appointing officer or only the three standing highest on such list. But all examinations must be practical and must test the relative fitness of the applicant for the particular position sought. The head of a department will be given absolute power to discharge an employee under him, but if an employee so demands, the appointing power is required to give him a statement in writing of the reasons for the removal.

Just what will be the departmental organization is still an open question.

Boston Mayoralty Nominations. When the Boston charter was amended in 1909 along supposedly progressive lines, it was provided that any citizen might be nominated for mayor, on presenting a petition of 5,000 votes. It was argued that, in this way, only a few good men would have their names on the ballot.

But, as the *Boston Globe* says, this theory, like many others in politics, did not work out. In the first place, it has proved exceedingly expensive, some of the petition gatherers charging as high as 20 cents per name; and to guard against a defective petition the candidates have felt obliged to present a much larger petition than 5,000. This situation, the *Boston Advertiser* charges, is unfair to the poor man, who wants to fight the machine and has no wealthy backers. It is further charged that the existing law encourages perjury and fraud.

The City Manager Plan. More cities are contemplating the adoption of the city manager plan. In San Diego, California, an unofficial charter commission has been appointed and has recommended that this form be adopted in that city. San Diego is one of the cities under the commission plan, which, however, has not altogether escaped the weaknesses of that system. The commissions in Salem, Oregon, and Sandusky, Ohio, are also committed to this system, and a very lively movement in its favor has been started in Seattle. Montrose, Colorado, has adopted the plan. The city of Ironton, Ohio, will vote on the adoption of a city manager charter on March 1.

The Kentucky Organization. For the purpose, primarily, of securing legislation enabling cities of the first, third and fourth classes to adopt the commission form of government, the Kentucky Short Ballot Organization has been formed. The founders of this new movement are Louisville men of high civic standing and they have associated with them a considerable number of leading citizens and legislators, throughout the state. Kentucky's legis-

lation on short ballot lines is confined at present to the general law affecting cities of the second class.

H. S. GILBERTSON.

✱

Proportional Representation—*New Jersey.* The Hare plan of proportional representation is provided for in the election of the council or commission under any one of the three optional plans of government—the commission, the federal, or the city manager—offered to New Jersey cities by the bill introduced by Assemblyman Bloom. As the bill will doubtless be much changed by amendment before meeting its fate its present inconsistencies need not be explained. As it reads now, its significance is twofold: in the first place it shows that the need of reforming our representative system has made itself felt in practical politics; in the second place, as it makes no provision for the initiative, referendum, and recall, its introduction suggests that opponents of those institutions have at last discovered—what they might have discovered long ago if they had been more acute—that the only possible way to withstand the progress of those institutions is to offer true representation as an alternative. On account of its omission of provisions for direct legislation, some of the friends of the latter in New Jersey, though favorably inclined towards proportional representation on its merits, are opposing the Bloom bill. It is hardly necessary, perhaps, to add that in fact direct legislation and proportional representation are not mutually exclusive at all. There is nothing to prevent a community that has true representation from having direct legislation also if it wants it.

Holland. A joint committee of the two chambers of parliament of Holland has been appointed to examine the different systems of proportional representation and to make recommendations in regard to the adoption of proportional representation for both municipal and parliamentary elections.

Germany. The rapid progress of pro-

portional representation in Germany, for city councils and other representative bodies, is authoritatively described in a statement read at the international demonstration for Proportional Representation held in London on December 3, 1913. The statement is signed by eighteen distinguished Germans, including seven members of the reichstag and Herr Theodor Curti, director of the *Frankfurter Zeitung*. Following are some excerpts from the statement as translated:

In Germany, the P. R. movement has only recently come into practical politics from the sphere of theoretical discussion; it is only since the beginning of this century that proportional representation has found its way into legislation.

The P. R. system has been introduced for a part of the parliamentary elections for the free city of Hamburg and in the kingdom of Württemberg. It is also used for the election of some of the members of the representative bodies of some of the larger local areas in the kingdoms of Bavaria and Württemberg and in the Grand-Duchy of Baden; its introduction is also optional in the Grand-Duchy of Oldenburg, where the town of Delmenhorst has taken advantage of the option.

Imperial laws have further made P. R. partly optional and partly obligatory for the election of co-opted members by employers and workmen in the commercial and industrial courts. These courts are special institutions which deal with questions of employment in industry and commerce.

The P. R. movement has had its greatest successes in the organizations for social insurance, where it is obligatory for the election of representatives of employers and insured workers on medical aid societies, trade unions, etc. It is also obligatory for the election of representatives of all component bodies under the newly established insurance for employees in private concerns.

According to a Prussian law, the trustees and the workmen's committees in coal and lignite mines, iron ore mines and alkali mines may be selected by the P. R. system. Further, we may mention that several municipal and large private works have adopted P. R. for the election of their workmen's committees, as, for example, the municipal works at Strasburg, the new photographic company in Steglitz (Berlin), and the firm of Zeiss, in Jena.

A most significant reception was given to the resolution brought into the Reichs-

tag by the social democratic party, demanding that the government should, at an early date, introduce a bill for the introduction of the P. R. system for the Reichstag elections, with a corresponding redistribution of electoral areas. This resolution was only defeated as it were by accident, 140 votes against 139.

C. G. HOAG.

*

Montrose, Colorado, Adopts City Manager Plan.—On January 12 Montrose (population 3,254) adopted a home rule charter of the business manager type. The city manager need not be a resident of the city. He may be removed by a unanimous vote of the commission (five members), or by popular recall as any other city official. The charter limits the salary of the city manager to \$1,800. It seems as though this salary might be too low to secure a well-trained and efficient city manager, and thus the charter advantages will be largely lost.

WILLIAM BETHKE.

*

Mr. Catherwood's Draft of a Model Civil Service Law.—The draft of a model civil service law proposed by Robert Catherwood¹ has the profound merit of representing the views of one who combines the knowledge of a lifelong advocate and student of civil service reform with the experience of an administrator of an important system of civil service regulations. The most striking feature of Mr. Catherwood's draft is the fearless and original manner in which he would strengthen the hands of civil service commissions throughout the country. The apparent ease with which, by determined attacks, political parties are now able to subvert old and established civil service systems seems to make the present time opportune for a general revision and strengthening of civil service laws, both federal and state. The drafting of a model law and its recommen-

¹ President of civil service commission of Cook County, and former president of the civil service reform association of Illinois, member of the council of the National civil service reform league and of the special committee on model law appointed by the National assembly of civil service commissioners.

dation by the national civil service reform league and the national assembly of civil service commissioners will undoubtedly mark a distinct advance towards this end. Mr. Catherwood's recommendations point to the desirability of abandoning obsolete statutory forms, and establishing in their place a stronger, although simpler, civil service system.

After having incorporated in his draft the essential features of recent developments in civil service systems—such as the certification of pay-rolls, the maintenance of efficiency records for groups of employees as well as for individuals, and the prohibition of political activity of officeholders or the use of public buildings for improper solicitation of campaign funds—Mr. Catherwood fearlessly advocates the appointment of the civil service commissioners themselves only after competitive examination. The commissioners are given terms of office during good behavior or until retirement at sixty years of age, and are immune from removal except after a public trial which may be instituted by any citizen before a special board, a majority of whom are judges of courts of common law. He confers on the commissioners the complete and exclusive power of making rules and regulations having the force of law, and makes it mandatory upon every appointing officer to appoint in each instance the highest name on the eligible list appropriate for the filling of a vacancy, the appointee being immediately protected from dismissal except on written charges to be heard by the commission.

The progressive features of Mr. Catherwood's draft are sufficiently tempered by his experience to challenge careful consideration and cannot lightly be brushed aside as ill-considered innovations. In advocating their adoption by the joint committees on a model law appointed by the national civil service reform league and national assembly of civil service commissioners,¹

Mr. Catherwood makes the plea that the time has now come to re-examine the general principles upon which a civil service system should be established, and that nothing should be incorporated in a model law which is not justified by sound fundamental reasoning. This invites an examination of some of the principles of government which are involved in the important innovations contained in the draft for which he stands sponsor.

Mr. Catherwood's plan of selecting state civil service commissioners by a competitive civil service examination includes the appointment of a special examining board by the chief justice of the state supreme court and by the president of the state university. Since the state commissioners constitute the fountain-head of the whole civil service system established as a stalwart bulwark between political parties and the spoils of public office, thoughtful consideration is invited to the question whether the plan suggested would not, before many years, result in the extension of the power of the invisible government of the political bosses so as to control this fountain-head of patronage, thereby undermining the political integrity of the two high officials named—to the lasting and irreparable disgrace of the state and to the dishonor of its citizens.

As to the unrestricted power conferred upon the commissioners of making rules, it is to be noted that although a similar right is recognized by some of the existing civil service laws, the power to establish laws or rules having the force of law has been but rarely entrusted in the American system of government to a single body of men. There are usually two co-ordinate legislative bodies and either an absolute

New York, secretary of the league, representing the National civil service reform league; and John T. Doyle, secretary of the federal civil service commission; Robert Catherwood, president of the Cook County civil service commission; F. E. Doty, chief examiner of the Los Angeles County civil service commission; Lewis H. VanDusen, Philadelphia, civil service commissioner and Henry Van Kleeck, president of the Colorado state civil service commission, representing the National assembly of civil service commissioners.

¹ The members of these two committees are Richard Henry Dana of Boston, president of the National civil service reform league; Robert D. Jenks, Philadelphia, chairman of the council; Elliot H. Goodwin, Washington, and Robert W. Belcher,

or an unrestricted veto power is conferred upon some separate official such as the governor or mayor. In harmony with this principle of "checks and balances" the rules established by civil service commissions throughout the country are generally made subject to the approval of a chief executive.

In the recommendation that the tenure of office of the commissioners should be for life or good behavior until retirement, there appears to be a danger that the term may be so extended that the incumbents will lose the essential point of view of the community. The feeling that this is not a fanciful danger under a democratic form of government, seems to be at the foundation of the present popular demand for the "recall" of public officers and more especially of judges who are the only conspicuous class of long term officeholders. Where persons in public office must necessarily come up at frequent intervals for re-election, there is no apparent necessity for recourse to a "recall" election. Before Mr. Catherwood's draft in this particular is adopted the soundness of the fundamental principle should be determined, that all public officers—including judges and civil service commissioners exercising semi-judicial functions—should come up for reappointment or re-election at intervals not exceeding six or ten years.

Space does not permit further discussion of this most instructive and carefully considered draft of a model civil service law proposed by Mr. Catherwood.

ALBERT SMITH FAUGHT.

•

Chicago Reorganizes Street Bureau.—In Chicago, the efficiency division of the civil service commission and the commissioner of public works have undertaken a reorganization of forces and changes in methods of work in the bureau of streets. These changes have been the result of an investigation of approximately eighteen months. The principal features of the reorganization are:

(a) Uniformity of service in all sections of the city in street cleaning, street repair

and the collection and removal of city wastes, depending upon conditions and requirements.

(b) Appropriations for these services based upon definite standards and measured services.

(c) Municipally owned modern equipment for street cleaning and street repair work, and garbage and refuse handling.

(d) Comprehensive plan of loading stations and incinerating plants in different sections of the city based upon economical haul and economical disposition of city wastes.

(e) Uniforming all employees engaged in the activities of the bureau of streets as a measure of safety and control and prevention of injury.

•

Chicago Slashes Salary Budget.—In Chicago, the city council committee on finances, at its meeting on December 15, 1913, reduced the city salary budget for 1914 by \$200,000, and agreed to appropriate for salaries and wages only the exact amount computed as necessary. During 1913 there were transfers of \$241,000 from salary appropriations to other purposes. Department heads are said to have reported that they had saved salaries to that extent. Now the efficiency division of the civil service commission says it was not economy but over appropriation.

MURRAY GROSS.

•

Springfield Municipal Reorganization.—In Springfield, Ohio, the city commission and City Manager Charles E. Ashburner are planning an extensive reorganization of all departments of municipal administration. A beginning is to be made in the department of health. The positions of health officer, sanitary marshal, dairy and food inspector, pathologist, tuberculosis inspector, city physician and police surgeon are to be abolished and a superintendent of the department will be made responsible for all work. After this department is put upon an efficiency basis, the police and fire departments are to be similarly reorganized. In the mean-

time, Carl Nau, an expert accountant, is at work installing a new system of accounts.

✱

New Hampshire's Judicial Reform.—

A New Hampshire act abolished local police and justice of the peace courts and divided the state into fifty-two municipal judicial districts.

✱

Proposals for Changes in Prussian Municipal Government.—

The cities of New Cis-Pomerania in Prussia have decided to petition the central government for a more up-to-date form of municipal government. These cities were not included in the scope of the law of 1853 for the Eastern Provinces, but were left with their ancient form of government slightly modified by special acts. Now it is desired to abandon this worn-out form of municipal organization, dating from Swedish times. But these progressive cities are not willing to come under the terms of the act of 1853, which seems to them too antiquated, although the cities of by far the larger part of Prussia are governed under this act. It is interesting to note in this connection that although the act of 1853 is not uncommonly considered as the Prussian municipal corporations act and is in fact the model for the organic acts affecting virtually all the cities, there are in fact no less than nine different acts dealing with city government for various parts of Prussia, to say nothing of a half-dozen important laws subsequently passed which modify in numerous particulars the provisions of these city codes.

R. M. JAMESON.

A Manchester Federal Council.—

The city council of Manchester, England, has passed a resolution providing that a special committee be appointed to consider and report as to the expediency, in co-operation and after conference with the several councils of county boroughs, and urban and rural districts adjoining or near this city, of promoting a bill in Parliament for the constitution, with the necessary powers, of a joint board or federation of councils for the administration within the united area of the several boroughs and districts of defined business in which the councils have a common interest, and for the formation, so far as may be deemed desirable, of internal sub-areas or districts or minor authorities for local and special purposes.

This committee is to present a preliminary report to the Manchester council before conferring with other councils.

✱

London Government Reform.—

The *Westminster Gazette*, of October 22, 1913, directed attention to "the burden" which falls upon the London county council. Between them the members totaled 18,667 attendances at 2,612 meetings of the council, committees, and sub-committees. The *Gazette* remarked that "it is questionable how long the members of a body the present size can support demands upon their time of this magnitude. The probability is that there will either have to be a delegation of powers or an increase in membership, unless the council is to be given over entirely to the men of abundant leisure."

II. FUNCTIONS

Municipal Utilities.—*The Lighting Situation in Minneapolis.* Minneapolis is one of the cities of the United States that is handling its own lighting problems without any aid from a state public service commission. Its experience shows what a city can do in the way of getting reasonable rates and efficient service if civic standards be but adequately enlightened.

Since November 1, 1913, by the terms of a recent ordinance, gas is supplied to private consumers at the rate of 70 cents per 1,000 cubic feet. In 1870, it is interesting to note by way of contrast, the price of gas for private use in the city was \$6 gross, \$5 net per 1,000 cubic feet. In January, 1878, it was reduced from \$4 to \$3.50. After various reductions, it was lowered in

1895 to \$1.50 gross, or \$1.30 net. In 1910 it was reduced by ordinance from \$1 gross to \$0.85 net, and on September 1, 1913, to \$0.85 gross, and \$0.70 net.

The rate for street lighting is 65 cents per 1,000 cubic feet. In addition to this, the lights are maintained by the Patterson Street Lighting Company at a cost of \$10 per lamp per year. This makes the total cost to the city for its gas lights \$18.56. The dockage for outages for 1912 amounted to \$1,290.30.

The gasoline lights which are owned and operated by the city have been almost entirely done away with and replaced by either gas or electric lights. The few gasoline lamps that are left, 212 out of the former 1,200, are new style incandescent mantle burners, not the flat flame burners of old. Everywhere gasoline lighting is being overthrown as obsolete. Three hundred and four arc lights were installed in place of 1,427 gas lights and a saving thereby effected of about \$7,000 per year. A total of 146 miles of streets are now lighted by gas.

The gas company's total earnings for 1912 were \$2,066,939. The net earnings for 1912 were \$262,733, of which \$306,303 were for interest on bonds. The company pays \$3.90 to \$4.20 for its gas coal. Four dollars would be close to the average for a series of years.

The total cost for arc lights for 1912, from the Minneapolis General Electric Company, was \$111,722.56. The city in 1913 paid \$65 for 2,800 6.6 ampere magnetite arc lamps for street lighting. Successive reductions have lowered the price from \$84 to \$60, the last rate being the bid of the company for the street lighting of 1914, on the basis of 2,800 lights. One reason for this relatively low price conceded by the company is the fact that the city is continually extending its crematory lighting system and that the completion of the high dam in the river between the Twin Cities will possibly put the company out of street lighting business in two or three years. During 1912, 538 new arc lights were installed by the General Electric Company, and 184 by the municipal

crematory lighting plant. The cost of the lights connected with the crematory was \$5,395.07 or \$60 per lamp per year. This is paid to the health department. It has been in operation since June 1, 1913.

The city has also secured, through constant pounding, splendid improvement in service, especially as to lamps, both residence and commercial.

Over the Minneapolis General Electric, as over the gas company, the city has complete power through its franchise. In the year 1912 thirteen electric meters were tested, four of which were over $2\frac{1}{2}$ per cent fast, and therefore condemned. The fastest meter was 12.8 per cent fast, the slowest, 25.8 per cent slow. During 1912, 39 incandescent Tungsten lights were installed of which 7 are 100 watt, 4 are 50, and 28 are 60 watt lights. These are installed in alleys and the center of long blocks. Their total cost per year is about \$750. The power and lighting rates for retail commercial lighting range from 8 cents per k. hour for the first 100 k. hours per month to $4\frac{1}{2}$ cents per k. hour for all over 600 k. hours per month. The retail power rate varies from 6 cents per k. hour for the first 200 k. hours per month to 3 cents per k. hour for all over 600 k. hours per month. CLYDE LYNDON KING.

*

Municipal Ownership.—*Akron, O.* Municipal ownership of street car lines has been practically assured by the council. An ordinance providing for a \$225,000 bond issue has gone through the first reading. Every councilman voted in favor of the ordinance. This ordinance is the result of a continued fight with the Northern Ohio Traction and Lighting Company to secure extensions of the car lines of the city without an extension of its franchise grant which expires in eleven years. Rather than grant the extension of the franchise, the city is planning to take over the entire system from the company at the expiration of the franchise.

The *Wisconsin* public utility statute of 1907 permits any city to take over utilities at any time at the valuation fixed by the railroad commission. Since the enact-

ment of the law, thirteen utility plants have been purchased by cities. The thirteen cities have paid an aggregate of \$2,404,900 for the plants.

Minnesota municipalities are interested in the ownership and operation of their public utilities. G. A. Gesell, in charge of the municipal reference bureau of the state university, is engaged in collecting data on water, gas and electric plants throughout the state. Forty-five cities have sent reports. Of this number, twenty-four have municipal electric plants. All the water plants in the towns reporting are municipally owned. The number of gas plants in the state is small, but several of the existing ones are municipally owned and operated.

St. Louis. While the principal street railway system is a private corporation, one small electric railway (the St. Louis Water Works Railway) is owned and operated by the municipality. On August 18, 1913, the system was introduced of charging a single fare of five cents. At the terminal station eight tickets can be purchased for twenty-five cents. Since the installation of the new system, as far as statistics at hand show, the traffic on the road has increased. In 1912-1913 the largest number of passengers carried in one day was 1,846, while on September 1, 1913, 3,412 tickets were collected.

San Francisco. The following figures have been reported for the Geary street municipal railway for the year 1913, the first year of its operation:

Total revenue, \$446,076.37.

Total operating expenses, depreciation and interest, \$260,730.57.

Net profit, \$85,345.80.

During the last six months, when the road was in full operation from the ferry to the beach, the following figures are reported:

Total revenue, \$311,122.87.

Total operating expenses, depreciation and interest, \$234,072.58.

Net profit, \$77,050.29.

The total length of the road is seven miles. During the year about 9,000,000 passengers were handled.

In December, 1913, the city also took over the Union street electric line, the franchise of which expired at that time. The line was in operation for twenty-one days in December, during which the receipts averaged \$1,000 a day. As this line carries the only street cars which run to the Panama Exposition grounds, the city expects an enormous revenue therefrom during the next two years.

During 1914, eight additional lines will be built under the direction of the board of public works, a bond issue of \$3,500,000 having been voted to cover the cost of construction.

Street Railway Rates and Service. On February 1, 1914, the Chicago surface lines introduced the "one-city-one-fare" unification service. Hundreds of new cars, a larger per cent of "through cars," five cent fares everywhere in the city, and universal transfers are some of the benefits which the change inaugurates to relieve congestion. One of the particular features of the unification service is the introduction of an entirely new type of closed-at-both-ends cars. The conductor stands on the rear platform and regulates the entrance by a lever. The exit door is worked by the motorman. When both doors are closed, a light flashes as a starting signal to the motorman.

Street Railways in the Twin Cities. The annual report of the Twin City Rapid Transit Company, recently published, shows the following increases for the year 1913 over 1912: Total revenue, \$8,870,336.-09, as compared with \$8,208,967.50 for 1912; the gross earnings increased \$661,-368.69; the operating expenses \$302,639.51. There were 219,992,444 passengers carried in 1912, as compared with nearly 20,000,000 in 1913, an increase of 9 per cent.

C. L. K.



Telephone Rates.—Hon. David J. Lewis, of Maryland, presented in his speech in the House of Representatives, on January 16, data of great interest to American cities, and to telephone users generally. The following table gives the continental

rates for long distance compared with American rates.

CONTINENTAL RATES FOR LONG-DISTANCE COM-
PARED WITH AMERICAN RATES

COUNTRY	25 MILES	100 MILES	300 MILES	400 MILES	500 MILES	700 MILES
Sweden.....	\$0.04	\$0.08	\$0.13	\$0.20	\$0.20	\$0.34
Norway.....	.07	.09	.34	.40	.....	.....
France.....	.05	.10	.35	.43	.53	.53
Italy.....	.10	.19	.38	.38	.38	.....
Belgium.....	.10	.19	.....	.....	.....	.....
Denmark.....	.07	.20	.54	.....	.....	.....
Germany.....	.06	.24	.24	.36	.36	.48
Austria.....	.12	.31	.38	.38	.38	.....
Hungary.....	.10	.19	.38	.38	.38	.....
Average con- tinental rate	.07	.16	.30	.36	.37	.45
Bell rate....	.25	.60	1.80	2.40	3.00	4.20

A comparison of local rates puts Norway's private telephone rates lowest and then follow the other countries with the local rates here given.

COUNTRY	RANK	LOCAL RATE	LET- TER RATE	LETTER RATE EXCEEDS PHONE RATE
				<i>Per cent</i>
Norway (private).....	1	\$0.004	\$0.026	550
Sweden.....	2	.005	.026	420
Japan.....	3	.005	.015	200
Norway.....	4	.006	.026	333
Russia.....	5	.007	.036	414
Hungary.....	6	.009	.020	122
Denmark (private).....	7	.010	.026	160
Austria.....	8	.011	.020	80
Italy.....	9	.013	.028	115
Germany.....	10	.015	.020	33½
Netherlands.....	11	.015	.020	33½
Belgium.....	12	.015	.020	33½
Switzerland.....	13	.017	.020	17
United States (Bell Co.).....	14	.021	.020	25
Luxemburg.....	15	.024	.020	20
France.....	16	.024	.020	20

The Bell Telephone Company ranks fourteenth among sixteen countries.

A table giving the annual tariffs (flat-rate service) for leading cities of different countries gives the following rates for subscribers:

¹ Belgium, 1911.

² Phone rate exceeds letter rate.

Christiania....	\$21.44	New Haven... \$84.00
Stockholm....	24.44	Oakland, Cal. . 84.00
The Hague....	26.00	Chicago ⁴ ³ 84.00
Copenhagen....	32.00	Philadelphia... ³ 90.00
Tokyo.....	34.00	Seattle..... 90.00
Auckland, New Zealand.....	34.00	Cincinnati.... 100.00
Amsterdam....	36.00	Boston..... 125.00
Rotterdam....	36.00	Denver..... 138.00
Berlin.....	43.20	Washington... 168.00
Budapest.....	57.90	Baltimore ⁵ 174.00
Paris.....	77.20	San Francisco. 180.00
London.....	82.79	New York ⁶ ... 228.00

American average exceeds foreign average 300 per cent.

The New York subscriber's rate of \$228 for about fifteen calls per day is greater in amount than the combined rates of London, Paris, Berlin and Stockholm for their unlimited services.

The following table gives the rates per call for measured service in eight leading cities where the telephones are under public ownership and operation as compared with eight American cities where the telephones are under private ownership.

RATES PER CALL FOR MEASURED SERVICE IN PRIN-
CIPAL CITIES OF THE WORLD

COUNTRY	PER CALL		
	2,000 CALLS	5,000 CALLS	10,000 CALLS
Switzerland, Berne.....	\$0.0140	\$0.0116	\$0.0100
Covington, Ky. ....	.0450	.0360	.0238
Belgium, Brussels.....	.0184	.0100	.0060
Baltimore, Md. ....	.0500	.0336	.0312
Australia, Sydney.....	.0197	.0106	.0086
Washington, D. C. ...	.0490	.0366	.0283
Italy, Rome.....	.0200	.0140	.0120
New Orleans, La.....	.0400	.0280	.0240
Austria, Vienna.....	.0200	.0160	.0100
Cincinnati, Ohio.....	.0450	.0360	.0330
Germany, Berlin.....	.0216	.0086	.0043
Boston, Mass. ....	.0450	.0360	.0330
France, Paris.....	.0240	.0154	.0077
New York, N. Y.....	.0555	.0420	.0400
Denmark (private)....	.0294	.0197	.0171
San Francisco, Cal. ...	.0648	.0487	.0265

³ Competition.

⁴ Recently this rate raised to \$125; competition presumably removed.

⁵ Baltimore and New York limited to 5,400 and 5,700 calls.

⁶ Computed on flat rates.

RATES PER CALL FOR MEASURED SERVICE IN PRINCIPAL CITIES OF THE WORLD—Continued

COUNTRY	PER CALL		
	2,000 CALLS	5,000 CALLS	10,000 CALLS
Average postal telephone rate.....	\$0.0197	\$0.0123	\$0.0085
Average American telephone rate.....	.0493	.0371	.0300
American rate exceeds postal (per cent).....	167	200	215
American rate exceeds Australian (per cent) ..	150	250	250

Another table shows that in thirty-six American cities with a population averaging slightly over 200,000 population, with no competition, the annual rate is \$89, whereas twenty-four cities, with an average population of 306,000 population, with competition, pay only \$62. He then points out that competition in telephone service in the United States is practically out of the question as a regulative factor in lowering costs.

The beneficial results of postalization, Mr. Lewis includes under profits, showing the financial results, receipts and expenditures in the postal systems in other countries, and in the social advantages accruing thereunder.

C. L. K.

Municipal Heating Plants.—The central heating station appears likely to become another municipally owned public service utility. The character of the undertaking and the interest being manifested in many cities in connection with its municipalization, point toward its public ownership. The cities of Newton, Massachusetts (population 40,000), and Bloomington, Indiana (9,000), own and operate such plants, according to an investigation recently made by the municipal reference department of the Free Library of Philadelphia. Spokane, Washington, Jefferson, Wisconsin, Austin, Minnesota, and Leominster, Massachusetts, are other cities which are considering the establishment of such plants in the near future. Sabetha, Kansas (population 1,800), has municipal steam heat service, the central station be-

ing run in connection with the city lighting plant. A recent issue of the *Sabetha Herald* comments upon the efficient operation of the heating system, and declares the service to be a source of pride to the people of the city.

C. H. TALBOT.¹

Hull Telephones.—The city council has sanctioned the purchase from the post office of the national telephone company's plant for £192,423. The council will apply for a twenty-one years' license from January 1, 1912.

Municipal Motor Buses.—The Birmingham city council has determined to purchase the interests of the motor omnibus companies within the city. This involves an expenditure of some £34,000. The private companies will continue the transportation of passengers from points inside the boundaries of the city to points beyond these lines, and from points without the city to points within the city boundary.

R. M. JAMESON.²

Passes on Prussian Street-Railways.—In consequence of a decision of the supreme administrative court of Prussia, Schoeneberg has abandoned its practice of providing members of the city-governing body with free monthly tickets on the street-railways. The ground of the court's decision which dealt with the same question in another city was that this practice was in violation of the law forbidding members of the city council to receive salaries or other emoluments of office.

Chicago Public Motor Vehicle Rates.—The municipal reference library of Chicago has prepared for the guidance of the Chicago city council a bulletin showing comparative statistics of the rates of fare charged in fifteen large cities for public motor vehicles engaged in carrying passengers for hire. From this statement it appears that but one city has a higher rate of fare than Chicago; that six cities

¹ University of Kansas.

² University of Texas.

have the same rate for one passenger; one city the same rate of fare for two passengers, and two cities the same rate of fare for three passengers; while no city charges as high a rate of fare for four or five passengers.

M. G.

✱

Trolley Freight.—*Liverpool* is considering the advisability of using its tramway system for the conveyance of goods to neighboring towns, and for the relief of congestion in the city's dock district. In June, 1912, the city council instructed C. W. Mallins, the general manager of the Liverpool corporation tramways, to submit a report on this subject.

In his report Mr. Mallins notes that in the year 1882, the tonnage entering and leaving the port of Liverpool amounted to 16,208,272 tons, as compared with 34,654,830 in 1912, an increase of 113 per cent in thirty years. These thirty years have witnessed a revolutionary development in steamship construction, both as regards speed and carrying capacity, while the land transporting facilities have practically not changed to adapt themselves to the increased shipping facilities. Thus in 1912, 11,000 horse vehicles were still used on the limited quay space and roads adjacent to the docks and stations, and only 124 mechanically propelled vehicles. The manager concluded that if "a thoroughly well-organized system, equipped with the most modern type of mechanically propelled vehicles—possibly of the electric storage battery type, with a cheap power supply—were provided to deal with the work now carried out by the horse vehicles, the work could be performed by 50 per cent fewer vehicles, which would materially lessen the congestion and it is reasonable to assume that the work would be carried out at a much lower cost."

As to the traffic to outside centers, he feels that the situation warrants the development of either a new tramway system or a trackless trolley system. He feels that the congestion in passenger traffic in this particular central area already taxes the tramway systems to their uttermost.

He finds that fourteen motor vehicles

and twenty-eight trailer wagons would be capable of conveying 3,600 tons per day, or 1,314,000 tons per annum.

A trackless trolley system could be devised at a cost of £1,700 per route mile, including all charges other than rolling stock as compared to £7,000 per mile of single track for ordinary tramways. A trackless trolley system could be devised that would handle 2,628,000 tons per annum, equal at 2½d. per ton mile, to £191,625 per annum, with a total estimated expenditure of £78,136, with a total estimated revenue of £95,812, a balance of £17,676. On this basis the system would be at once both extremely cheap to the merchants and profitable to the operators.

The fluidity and adaptability of the trolley freight system seem to commend themselves to the students of the plan everywhere.

CLYDE LYNDON KING.

✱

Cost of Living.—*Cincinnati.* Professor John L. Shearer, a member of the charter commission, recently expressed his intention of making "markets" one of the principal departments under the new city charter. He feels that they have never been given in Cincinnati the consideration which they deserve. He is prepared to give the commission the benefit of his careful study of market conditions in France and Germany. His plan as outlined includes a large market place with terminal facilities for railroads and near water routes.

Seattle. The municipal market, according to a recent issue of the *Seattle Municipal News*, is actually reducing food costs. There are over 600 stalls in use, tended by more than a dozen nationalities of stall-keepers. The prices run something like this: two bunches of beets, two of radishes and two of turnips, a couple of bunches of onions, one bunch of carrots and one of parsnips—all for fifteen cents. Other prices are: one large cabbage, five cents; a fair sized squash for a nickel; three heads of celery for ten cents, etc. Stalls rent for as low as two dollars a month.

It is to this low rent and the assembling of so many city farmers and small shopkeepers under one roof, that the low prices are due. The markets are kept clean. In one market there are nine and in another three men constantly inspecting all stalls and keeping them up to the sanitary standards that have been enforced in the four years of their history. Patronage is by no means confined to the poor and to persons with extremely moderate means.

*

Municipal Delivery Service.—The failure of municipal markets, when such has occurred, is, in many cases, directly traceable to the telephone and a misconducted delivery service, which inevitably lead to abuses similar to those prevailing in the corner grocery. To obviate the difficulties in the delivery problem, Charles Kamp, market master in Cleveland, is advocating a system of municipal ownership and operation of delivery trucks. His plan has the hearty approval of Mayor Baker. Under this plan the purchasers will carry the basket or package to the delivery station, give the name and address, and pay the cost of delivery, which will probably be five cents. In this way all responsibility is removed from the dealer in the market house, and, at the same time, cash transactions are assured between customer and dealer. No telephone orders will be filled through the delivery service, as these would result in keeping people away from the markets and in creating a credit business. It is believed that the adoption of this plan will greatly increase the attendance at the market, and will further the basic principle of municipal markets—low operating costs.

C. L. K.

*

Co-operative Buying.—By urban dwellers as a means of reducing food costs has again found successful exemplification in a co-operative activity undertaken in New York City by the association for improving the condition of the poor. The association established a store in one of the

two-room apartments on the ground floor. The families inform the superintendent at night as to the variety and amount of meat and vegetables they need for the next day, and the purchase is made the following morning. In this way the families receive the benefit of wholesale buying and there is no waste. Making no charges for overhead expenses, the families have saved an average of 40 per cent by their co-operative buying. Their monthly sales have averaged \$369.84. Counting the cost both of supervision and of overhead charges there would still be left a saving through co-operative buying of approximately 20 per cent of total sales.

C. L. K.

*

Food in Berlin.—The attempt of the municipalities comprising Greater Berlin to reduce the cost of foodstuffs for the poorer classes seems to have met with doubtful success. The sale of Russian meat directly by the municipalities resulted in a deficit of more than \$30,000. Furthermore, a large part of the consumers of this cheap meat were not of the poorer class at all but rather of the lower middle class. Furthermore the prices charged by the municipal market for fish and other sea-food appear to have been higher than the current prices in private establishments.

*

Accounting Notes.—*Municipal Statistics of England and Wales.* Students of municipal accounting, finance and taxation who in recent years have used the comparative financial statistics of cities published annually by the United States census bureau will be interested in the reports of the local government board for England and Wales. The last annual report of this board (1913) relates to 2,554 taxing authorities, which spend about 98 per cent of the total amount of rates (taxes) raised in England and Wales and about 99 per cent of the exchequer grants received by local authorities.

Budget Interest. There are still some cities where the annual budget is made

behind closed doors or at least practically so, because no publicity is given to the proceedings. We have in fact met some officials who defended the "soft pedal" method, on the ground that the public would not take an active interest anyway. While such contentions were long ago disproved by numerous cities, the recent experience of Dayton, Ohio, shows a public interest which in a city no larger than Dayton is truly remarkable. Five thousand people packed into Memorial Hall to discuss the 1914 budget and thousands were turned away. Lantern slides were used to set forth the various departmental estimates and many questions were asked.

Reading, Pennsylvania. The survey of procedure and methods made last quarter by the New York bureau of municipal research and financed by citizens of Reading has been followed by the city officials retaining the bureau to install a complete new accounting system.

Pittsburgh Puts Recommendations into Effect. The New York bureau assisted the city council of Pittsburgh during December and January to make the 1914 budget. The council previously had the bureau make a survey of the city departments. Arrangements have also been completed to install a complete new accounting system, standardize salaries and wages, place the police and fire pension funds on an actuarial basis, reorganize the police department, and put other recommendations into effect.

Allegheny County Officials Want a Survey. The board of commissioners of Allegheny County, Pennsylvania, are now having the New York bureau make a general survey of all the county offices and departments.

Standardizing Salaries in Milwaukee. The Milwaukee bureau of municipal research (Ralph Bowman, director) recently issued in pamphlet form a complete report of what has been undertaken and accomplished in standardizing salaries and grades of city employees. It contains numerous organization charts relating to the several city departments. The plan

of standardization follows in general the lines laid down for similar work by New York and Chicago.

Springfield, Ohio, installs a New System. With the recent change to the city-manager form this city has begun the installation of a new accounting system.

Springfield, Massachusetts, has a Permanent Bureau. Citizens established a bureau of municipal research during the last quarter with C. O. Dustin as manager. Mr. Dustin was formerly assistant director of the Dayton bureau.

Staley Goes to Minneapolis. The Civic and Commerce Association of Minneapolis has secured F. S. Staley of the National Training School for Public Service to examine into the accounting and civil service conditions of their city government.

HERBERT R. SANDS.¹

*

The Bond and Tax Situation in Ohio.—Although the cities of Ohio have cut away from the old cumbersome form of organization and some of them are already blazing a new trail with city manager charters they are still entangled in a confusing tissue of bonded debt and tax laws. The editor of the NATIONAL MUNICIPAL REVIEW has endeavored to get a definite statement or diagnosis of these particular ailments. In undertaking to assist him we must use the "statistical X-rays," even at a sacrifice of interest to readers outside of Ohio.

Concerning the limitation of bond issues in Ohio cities the legal status as summarized by Dr. L. D. Upson of Dayton is as follows:

Prior to 1902 a special act of the legislature was necessary before cities in any classification could issue general bonds except for sewers and other minor improvements, not including street pavement or repairs. During this time and until 1910 property assessment was between 40 and 60 per cent of the actual values with the usual exemptions of personal property. In 1902 the legislature passed the Longworth bond act, limiting the general indebtedness of any city to 1 per cent of the tax valuation in any one year; 4 per cent

¹ Secretary of the Metz Fund, New York Bureau of Municipal Research.

in the aggregate; and any additional amount authorized by the voters could not at any time exceed 8 per cent of the tax valuation. The limitations of 4 per cent and 8 per cent remained until after the reappraisal of all property at its true value in 1910. In October, 1911, the 4 per cent limitation was reduced to 2½ per cent and the 8 per cent limitation to 5 per cent. These limitations appear to be in effect to-day.

Net indebtedness is the difference between outstanding and unpaid bonds and of the amount held in the sinking fund for their redemption, and does not include, by the Longworth act and its amendments, the following:

(a) Bonds issued prior to April 29, 1902.

(b) Bonds issued to refund, extend the time of, the payment of, or in exchange for bonds issued prior to April 29, 1902.

(c) Bonds issued in anticipation of the collection of special assessment either in original or refunded form.

(d) Bonds issued for the payment of obligations and arising through emergencies caused by epidemics, flood or other forces of nature.

(e) Bonds issued to meet deficiencies in the revenues by a vote of the people.

(f) Bonds issued for the purpose of purchasing, constructing, improving and extending water works, when the income from such water works is sufficient to cover the cost of all operating expenses, interest charges and to pass a sufficient amount to the sinking fund to retire such bonds when they become due.

(g) Bond issued to construct and equip electric railways on any leased canal property and other property, etc., except that such bonds are not to exceed 2 per cent of the tax valuation of all property.

(h) Bonds issued to repair, construct and replace public property and public ways, destroyed by floods occurring in March and April of the year 1913.

In accordance with section 12 of article 18 of the constitution as adopted September 3, 1912, any municipality which acquires, constructs or extends any public utility or desires to raise money for such purposes may issue mortgage bonds, therefore, beyond the limit prescribed by the law, provided its bonds are secured upon the property and revenues of such public utility.

Bearing these privileges and these limitations in mind, one has to consider the so called Smith 1 per cent law which, prior to 1913, may be epitomized as one limiting the tax rate of any municipality to 1 per cent of the assessed valuation except for bonds issued prior to 1910 and after 1910 by a specific vote of the people.

However, a total tax rate for all purposes might not exceed 1½ per cent. By this act, amended in 1913, there shall be not more than 1 per cent for operating expenses and such additional levy for interest and sinking fund as may be required to pay interest and bonds issued prior to 1913 and bonds thereafter issued by a vote of the people. This would indicate that any bonds issued after 1912 not by a vote of the people must be liquidated from the 1 per cent tax.

In conclusion Dr. Upson says:

The whole matter of limitation of bonds issued is very much confused by the interaction of specific limitations of issue with legislation effecting the amount of taxes which may be levied and it is probable that only after a series of court decisions that the cities of Ohio will definitely understand their financial limitations.

Another Ohio correspondent who is in position to judge of these matters impartially says that:

Toledo, and in fact all the cities of Ohio, are having more or less trouble in disposing of their bond issues, not because of any lack of credit but because of the adoption of an amendment to the constitution, making municipal bonds taxable. Until January, 1913, municipal bonds were not taxable and the larger cities put them out at 4 per cent. That rate prevailed in Toledo, Dayton, Columbus and most of the larger cities. After the amendments went into effect some of these cities issued bonds at the old rate and had no buyers. As a result of these amendments the rate of interest will have to be raised to 4½ per cent. One of the mayors of the cities concerned writes thus on the subject:

The cities in Ohio have been greatly hampered by the fact that those who are influential with our law-making bodies have been experimenting with every fallacy in taxation, except the old custom of taxing windows, and I suppose the only reason that has not been tried is that the influential ones have not read history enough to know that any such tax was ever levied. Two or three years ago the legislature passed a law known as the "Smith 1 per cent tax bill" which has since become a sort of sacred white cow in this state, and to speak of it in any but terms of awe and admiration is to be guilty of treason and blasphemy. The law limits the total amount of taxation to be levied for all purposes to 1 per cent of the duplicate, which in its way was not

so bad because after the adoption of the law property was put on the duplicate at its full value, but there were inter-limitations, one of which, for instance, provided that no city in Ohio could ever raise more than 12 per cent in addition to the amount raised in the year 1910. As a result our school systems are suffering, and only the other day just before the floods, Columbus laid off ten policemen and Dayton laid off thirty. The unanimous protests of city officials everywhere have been powerless as yet to produce any amendment to the law in this respect, and now to the difficulties created by this folly are added those produced by the new constitutional amendment. The Smith law was purely an expression of the rural dislike of urban conditions, and that unfortunate condition has been intensified by the naive belief that personal property in this state can be taxed.¹

The council of Toledo has adopted a resolution stating that "most of the municipal bonds issued by the cities of Ohio are not held in Ohio, and that consequently no taxes are paid upon such bonds, and that even such bonds as may be held within this state are not returned for taxation so that the net result to the cities is that a higher rate of interest must be paid if such bonds are supposedly taxable, while no taxes are received in return, so that it simply amounts to an additional burden upon the taxpayers themselves."

Mayor Baker of Cleveland, in a recent address, said that the relation between the cities and the state is distinctly unhealthy to the cities and altogether discreditable to the state. He, too, classed the "Smith 1 per cent law" an absurdity.

The cities of Ohio by virtue of their leadership in adopting the city-manager plan are now in the limelight and being watched throughout the United States to see what results will be achieved. Of utmost importance to their success, in fact out of mere fairness to the new governments and officials, the limitations and encumbrances of present bond and tax laws in Ohio should be removed.

*

Public Health Notes.—Some idea of the trend of things in a few of the many divisions of the great field of public health may be obtained from the following notes.

¹ See item *in re* Ohio Constitutional Amendments, NATIONAL MUNICIPAL REVIEW, Vol. II. page 475.—Editor.

To Encourage the Production of Pure Milk a large dealer pays an extra price to dairyman whose premises and methods conform with a high sanitary standard.

In Montreal Taking Away Milk Licenses is announced as the policy of the health department in case dealers fail to comply with the sanitary requirements governing the production and delivery of milk.

Municipal Pasteurization and Distribution of the Milk Supply, first in the interests of health and second as a measure of economy by reducing wasteful duplication of plant and labor, was advocated by Samuel A. Carlson, mayor of Jamestown, New York, in a recent message to the city council. The estimated cost of the necessary equipment is \$50,000. A committee of the council and board of health endorsed the project and it was referred to the legal department for investigation and report.

Smallpox appeared to be unusually prevalent in various parts of the country early this year. The most serious outbreaks have been where vaccination is neglected. Thus Niagara Falls, New York, a community where there has been much opposition to vaccination, has been afflicted with smallpox since 1912. In 1913 Niagara Falls had 196 cases in a population of 30,000, as compared with only thirty-nine cases in New York City, Buffalo and Rochester, with a combined population of 6,000,000. Vaccination of school children is compulsory in the three cities just named, but not in Niagara Falls.

St. Louis. A campaign to make this city the most healthful in the country is being conducted by *The Republic* of that city, which is devoting a large amount of space to sanitary and health problems and reforms.

The Liverpool School of Public Health, under municipal auspices, is one of the latest evidences of awakening to the public health problems of the day.

The Smoke Prevention Section of the Sanitary Code of New York City,² having been declared unconstitutional by a

² Noted on page 141 of the NATIONAL MUNICIPAL REVIEW for January, 1914.

lower court, was upheld late in December by the appellate division.

The Urban Death-Rate of New York State in 1913 was 14.5 and the death-rate for New York City was only 13.7 per 1,000 population, as compared with a rural death-rate (for places of less than 8,000 population) of 15.4. The typhoid death-rate per 100,000 inhabitants was 9.8 for the urban communities, 6.7 for New York City and 12.1 for the rural sections of the state. Since city people go to the country for health and get their milk and water supplies from the country they will do well to consider ways and means to reduce the rural general and typhoid death-rates.

Hospitals for Colored People. The utter lack of hospitals for negroes in Atlanta, Georgia, is being brought home to the people of that city by *The Constitution*. Besides general humanitarian motives *The Constitution* urges that the desire to prevent the spread of communicable diseases among the white population should lead to ample provision for the isolation and care of negroes suffering from such diseases.

An Outbreak of Typhoid Fever at Rockford, Illinois, in 1913, following closely after a water-borne outbreak in 1912, led to an investigation which placed the bulk of the original infection upon a bakery employee, from whom the disease was spread by means not only of food from the bakery, but also through three milk routes. Various other sources of infection were found which, with the main source, led the investigators to recommend: increased appropriations for the local board of health, "so as to permit the employment of trained technical men to serve as inspectors of dairies, bakeries, restaurants, markets, soda fountains, etc.; a more careful supervision of the milk supply and insistence on proper sterilization of all milk bottles and other milk containers; the use of typhoid information blanks for recording the significant facts regarding each typhoid case occurring in Rockford; engineering studies and the preparation of a consistent

plan for the rapid extension of sewers and the ultimate treatment of all the sewage of the city." Although the water supply was cleared of responsibility for the 1913 outbreak a constant menace was found in the existence of connections between private factory fire-protection systems and the public water mains. It was recommended that all these connections be severed as soon as practicable since (as experience elsewhere has shown) these private supplies are liable to be polluted and may be forced into the city water mains. The investigation outlined affords an excellent example of the growing co-operation between state and municipal authorities and state universities in some parts of the country. The investigators were: Dr. C. E. Crawford, chief inspector, Illinois state board of health; Paul Hansen, chief engineer, Illinois state water survey; H. N. Parker, dairy bacteriologist, University of Illinois; and Dr. W. E. Parkes, health commissioner of Rockford. The writer is indebted to Mr. Hansen for the use of a manuscript copy of the joint report made by these investigators.

M. N. BAKER.

*

Public Safety Notes.—*Home Rule in St. Louis.* St. Louis's police department has for many years been administered by a metropolitan police board appointed by the governor of Missouri. With a view to increasing the efficiency of the department, the last legislature passed an act vesting the power of appointing the police commissioners in the mayor of St. Louis. At the time of the enactment of this statute it was believed that a democratic mayor would be elected in the fall of 1913. When a mayor of a different political faith was elected, the newly enacted statute was suspended pending its submission to the people under the referendum at the autumn elections in 1914.

Rehabilitation of Chicago Police. A committee of the Chicago city council has prepared a report recommending the expenditure of \$2,500,000 for the rehabilitation of the Chicago police department. The recommendations contained in this

report are worthy of careful consideration by all police chiefs. The most important are the providing of sanitary housing conditions in police stations, the elimination of basement cellrooms, the establishment of independent stations for women, the installation of an emergency hospital, a gymnasium, a public comfort station and an ambulance garage in each police station, the establishment in outlying districts of sub-stations for detachments of mounted men, and an adequate central office building.

Non-Professional Interest in Police Work. The absence of opportunities in our American plan of municipal government for the unpaid service of non-professional men in a consultative function has deprived many of our municipal departments of the benefits accruing from the active interest in their welfare of men who have achieved success in private life because of their unusual ability. The testimonial dinner tendered to Police Commissioner Waldo of New York, by Jacob H. Schiff, the New York banker and philanthropist, as an evidence of appreciation of efficient municipal service is worthy of notice, as a demonstration of non-professional interest which should be encouraged.

LEONHARD FELIX FULD.



The Disposal of Waste in Philadelphia.

—The Philadelphia highway bureau has asked for a detail of seven patrolmen from the department of public safety, one to be assigned to each highway district. The duties of these men are, first, to warn scavengers, and then, if the nuisance of interfering with waste put out for collection is persisted in by the scavengers, to arrest them. The act of April 20, 1905, makes it unlawful to throw waste paper, sweepings, ashes, household waste, nails, or rubbish of any kind into any street or to interfere with the contents of any receptacle containing waste. The act further provides a punishment of fine and imprisonment.

These patrolmen are also to call the

attention of householders to the Housing Act of July 22, 1913, which requires that occupants of dwellings shall provide a non-leakable receptacle of an approved standard for ashes.

It is evident that peach baskets and such nondescript receptacles are not of "an approved standard," and where ashes are put out in receptacles that are not tight and durable they are not collected. The householder is warned in advance of the housing law providing for proper receptacles by the distribution of "Call For Waste" cards, left at every house by order of the bureau.

It is hoped by this means to eradicate the very distressing evil existing in Philadelphia as well as other cities of littering sidewalks and streets by the careless way in which waste is put out for collection. The "Call For Waste" card is designed to hang in the front window or in a conspicuous place in front as a notice to the collector to call either at the front or rear of the building for the waste and thus do away with the necessity of putting it out on the sidewalk. This does not refer of course to ashes which must be deposited in proper receptacles on the sidewalk for the collector.

In addition to this work being carried out by the bureau, Mrs. E. W. Pierce has been appointed to get the co-operation of householders and school children in "preventive" street cleaning work, by means of addresses at public meetings and women's clubs and talks in schools at assembly. Following these instructions the children put them into effect at home and write compositions expressing their ideas in regard to cleanliness and health. For any specific work, no matter how small, or for ideas expressed in writing, the children are awarded badges as volunteer inspectors, and this responsibility is greatly appreciated by the boys and girls.



The Public Defender. — Oklahoma created the office of public defender three years ago. This official working under the commissioner of charities and correc-

tions was so successful in the handling of cases in and out of court that it led to the revival of the movement to create a similar office in California. Some five years ago Mrs. Clara Shortridge Foltz, a Los Angeles attorney, prepared the draft of a bill making it mandatory on every county in the state to elect a public defender but was not able to secure its passage. Another bill was prepared last year and sent to Sacramento through the co-operation of the writer and Representative Woodley of Los Angeles and Representative Evans of Riverside, but this also failed of action.

The office was written into the new charter of Los Angeles City prepared with the advice of experts brought together at the National Municipal League meeting and submitted to the voters in May, 1912. This charter was defeated. Judge Lewis R. Works, a member of the Los Angeles county charter commission, as well as the city charter revision committee, introduced a similar paragraph in the county charter which charter was adopted by the people and through that the office of public defender was created as a charter office for the first time in the United States.

The provision requires that upon request by the defendant or upon order of the court, the public defender shall defend, without expense to them, all persons who are not financially able to employ counsel and who are charged, in the superior court, with the commission of any contempt, misdemeanor, felony or other offense. He shall also, upon request, give counsel and advice to such persons, in and about any charge against them upon which he is conducting the defence, and he shall prosecute all appeals to a higher court or courts, of any person who has been convicted upon any such charge, where, in his opinion, such appeal will, or might reasonably be expected to, result in a reversal or modification of the judgment of conviction.

He shall also, upon request, prosecute actions for the collection of wages and of other demands of persons who are not financially able to employ counsel, in

cases in which the sum involved does not exceed \$100, and in which, in the judgment of the public defender, the claims urged are valid and enforceable in the courts.

He shall also, upon request, defend such persons in all civil litigation in which, in his judgment, they are being persecuted or unjustly harassed.

On January 6, Walton J. Wood was appointed as the first public defender by the board of supervisors after a civil service examination. He has now a deputy and three assistants with clerk and stenographer. This force will be added to as the demand arises. During the first month some 500 cases passed through the office, few of whom in the ordinary course of court procedure would have received adequate attention. This office justifies the hope for more complete justice for minor offenders and those whose chief offence is their poverty.

Prisoners in Los Angeles police courts who cannot afford counsel are to have the free services of a public defender. Permission has been granted by Mayor Rose, chief of police Sebastian and the police judges to William Francis Ireland to act in the capacity of a public defender in the city courts. Mr. Ireland was also given a blanket permit to interview any prisoners in the city jail at any time. The work is undertaken voluntarily by Mr. Ireland, who will receive no salary. His object, he says, is to awaken public sentiment to a desirability of having a public defender for the city as well as for the county. When the city is ready to create the office, he will consider his work completed and step out.

DANA W. BARTLETT.

✱

German Municipal Zoning.—In an instructive summary in the annual report of the Massachusetts Civic League for 1913, Frank Backus Williams gives a comprehensive account of the German experience with the zoning or districting system in its relation to housing. Zoning was evolved in the seventies by the veteran city planner, Baumeister, and applied by

the famous city administrator, Dr. Franz Adickes, in Altona in 1884. In 1894 the principle was upheld by the German courts and since then it has been widely applied. To-day a majority of the German cities are subject to zoning regulations.

City construction may be divided into two phases: city planning, or the laying out of streets and other features of the city; regulation of buildings with respect to their character, location and intensity. Zoning, which falls under the second phase, has as its objects the regulation of real estate values and rents by preventing one class of activities from intruding upon another to the injury of both; the fixing and preservation of the character of neighborhoods in order to avoid the waste of destruction, rebuilding and readjustment; the promotion of manufactures by placing the plants in favorable situations; and especially the improvement of housing conditions through the prevention of congestion. The last object is accomplished by limiting the intensity of building each lot so that on every one of them there may be light, air, sun and open spaces.

Baumeister advocated a gradation of building ordinances according to conditions between different parts of a city. The reason for this gradation is a practical one. Land values in the old part of German cities were usually based upon rules which allowed five stories and about four-fifths of the lot for buildings. Hence regulations for the old city must be so framed that the land owner in that part of the city could build and obtain the current rate of profit from his investment. This generally meant that for new buildings in the old part of the city the same intensity must be allowed as for the old ones there. In other parts of the city, however, where buildings were not so high and did not cover so much of the lot, zoning of perhaps four stories with three-fourths of the lot to be covered as a maximum would not disturb land values. In still other quarters requirements could be still lower. So regulations might be graded until rural conditions for certain areas would be obtained.

In its application to the development of old cities, zoning naturally gave rise to graded circular belts around the old business center where the land was dearest and the buildings tallest. Under present conditions of city development, however, literal zones in the sense of broad concentric belts within which regulations are uniform are not now so common. Judging from present indications, future zoning will depend upon the relation of building to the lot on particular types of streets, thus making the street the unit.

Used in either way, the zoning system has been successful in Germany in its main purpose, that of limiting congestion and thus requiring of every land owner at his expense a minima of light, air and open space without which healthful housing is impossible.

All Germany, however, it appears, is in a deep controversy as to whether zoning has an effect upon land values. In respect to this Mr. Williams ventures the conclusion: "Unquestionably restrictions may raise or lower the relative prices of neighboring land, but how can they affect the general average of land prices as a whole, upon which the prices of both are based? Obviously demand remains the same. If a land owner may not build five stories and cover 75 per cent of his lot, but only to three stories and 50 per cent, the other two stories must rest somewhere, if the people who want to live in it are housed at all. If it does not rest on the lot where they first wished to put it, it will occupy a lot of its own, probably farther in the outskirts. Thus, such restrictive regulations serve to extend demand over a broader territory, without increasing or decreasing it, with no disadvantage to the land owner as a class; in fact, they may be benefited. Benefits to land owners will be distributed. Outlying land will be brought more quickly in the market, and carrying charges, which so often turn profit into loss, will be saved. And the community gains, in light and air, with no cost to it as a body."

MURRAY GROSS.

New York Motion Picture Law.—In New York City, on August 12, 1912, the first comprehensive law in the United States for the regulation of motion pictures was put into effect. For over three years, Mayor Gaynor, Ralph Folks, of the board of aldermen, and various social institutions were at work for a law that would do away with the danger to audiences from fire and panic, from inadequate ventilation and sanitation, and for a supervision that would abolish immoral practices in such theatres. After strong opposition, the law went into effect. It shows the following important provisions:

Motion picture theatres shall not be constructed in frame buildings within the fire limits, nor in hotels or tenements, nor in factories, nor in workshops, unless separated by fireproof walls, and in no case shall they be constructed above or below ground floors.

No exit shall be less than five feet in width, and there shall be a main exit of ten feet in total width. All exit doors must be unlocked when the building is open to the public. They must be fireproof and made to open outwardly, and so arranged as not to obstruct the required width of exit or court when opened. Unobstructed exits must be provided both in front and rear, and of sufficient number, according to the seating capacity.

Chairs must not be less than 32 inches from back to back, and only seven are allowed between aisles.

Proper temperature for all seasons is clearly stipulated in the ordinance. Artificial ventilation must be provided where natural ventilation is not available, so that at least 500 cubic feet of fresh air per hour for each person is admitted. The location of these ventilators is designated. One fan for every 150 persons must be kept in operation to keep the air in motion during the performance. No persons shall be exposed to a direct draft.

Carpets, rugs and other fabric floor covering shall be cleaned daily by means of suction cleaning or other dustless method. Curtains, draperies and cush-

ioned seats shall be cleansed at least once monthly by similar methods.

To help raise the moral tone, it is provided that the theatre be sufficiently lighted so that a person with normal eyesight could read standard type. Another important clause is the one calling for the elimination of vaudeville because the cheap admission makes it practically impossible to get wholesome talent.

Portable fire apparatus must be provided.

No standing room is allowed.

*

The Moving Picture as a Municipal Adjunct.—Every day motion pictures are demonstrating their usefulness and it is no surprise that they are becoming a municipal adjunct. Actual operations in road construction and other municipal engineering work are now shown by this medium; schools are using them for instruction purposes; and recently it was reported that a missing city official will be sought by having his photograph shown in 10,000 moving picture places by a moving picture weekly in the hope that some one of the million spectators may have seen him. In the same way before long the police are likely to make use of the moving picture for tracing fugitives and criminals. As an instrument in civic education, the moving picture could well be used in teaching the ignorant voter how to vote. A picture showing the voter entering, receiving, marking and depositing the ballot, and showing a large copy of a correctly marked ballot, might result in bringing out voters whom timidity of the unfamiliar might otherwise have kept at home. There are always numbers of new voters, either just of age, or newly made citizens, or women just enfranchised, or others who have moved from places where the voting methods or ballot are somewhat different, to whom the instruction would be very welcome.

*

San Francisco Municipal Opera House Vetoed.—The board of supervisors on November 10, 1913, passed an ordinance

accepting an offer of the musical association of San Francisco to donate \$850,000 in trust for the purpose of building and equipping an opera house in the civic center of the city and allotted as a site land valued approximately \$1,000,000. As a condition to the donation, however, the association reserved for its members, their heirs and assigns forever a prior right to over eight hundred of the best seats in the house at each performance. Mayor Rolph vetoed the measure on the ground that, commendable as was the spirit that advanced the project, fundamental principles of government make such a partnership between municipal property and private capital impossible, and contrary to both the letter and spirit of the city charter.

*

Los Angeles People's Orchestra.—The experience of the people's orchestra affords an example of a way in which good music can be furnished a community at a relatively small expense. This orchestra was organized in November, 1912, under the direction of the music teachers' association of southern California, and includes fifty-three of the best-known and talented performers residing in Los Angeles. During the season of 1912-1913 thirty concerts were given, attended by 44,635 people. The price of admission prior to March 1 last year was twenty-five

cents; since, a change has been made to 15, 25, 35 and 50 cents. A deficit of something over five thousand dollars resulted from the thirty concerts.

*

Small Towns and Music.—A number of towns and town communities in this country have recently astonished ordinary musicians by their remarkable demonstration of what devoted musical work can do. At Bethlehem, Pennsylvania, a community largely monopolized by steel mills, a choir has arisen which gives what "are conceded to be the finest presentations of Bach's work in this country." To this "Pennsylvania Oberammergau" flock thousands of music lovers from this and other countries. At Lindsborg, a town of 2,000 in the heart of the agricultural district of Kansas, is an organization that has caused its home town to be called the "Swedish Bayreuth in Kansas." The organization is devoted to oratorios, and each Easter week thousands are attracted to the town by its performances of Handel's Messiah. At Anoka, Minnesota, annually takes place an "outdoor sing" at which at times over five thousand people from neighboring communities gather to sing over again to the accompaniment of bands old familiar songs. It is accomplishments like these that point to the possibilities of the future.

III. POLITICS

Boston. The municipal election for mayor resulted in the choice of Congressman Curley, an influential practical Democratic politician, over Thomas J. Kenney, likewise a Democrat, who had the Municipal League and Republican support. There are no party designation in Boston municipal ballots, but Curley was known as the Democratic candidate and received the "organization" vote. Since the election I have been trying to ascertain the reasons for the outcome and here are two explanations, typical of the others, which must give us pause for reflection as both correspondents were supporters of Kenney and both are keenly

interested and actively devoted to progressive work. The first began by saying:

As for an explanation of the result, the most hopeful one I can think of is the scriptural suggestion: that, "whom the Lord loveth he chasteneth." This is not wholly satisfactory, however, as I can't quite see what Boston has done to deserve such a fate.

The first point is, of course, the fact that Curley was elected by a little over 40,000 votes and that there were 30,000 registered voters who did not vote at all. The temperature was below zero all day and it is probable that more fellows *with* overcoats failed to vote than those *without* them. I have not yet seen an analysis of the stay-at-home vote, showing how it

was distributed in the various wards of the city. The Curley people claim that if the weather had been better their vote would have risen as much as the other. If that is so of course we need to look elsewhere for an explanation than to the stay-at-homes.

It looks now as if the Citizens Municipal League, so-called, was a stumbling block rather than a help to the success of Mr. Curley's opponent, Mr. Kenney. The league has a limited membership of two or three hundred, I believe, all estimable and respectable voters from all wards. Its executive committee picked out the candidate for mayor and this choice was confirmed by a majority of the league after more or less vigorous opposition. The mass of voters, however, are somehow or other disaffected by respectability. They looked upon the C. M. L. as undemocratic and made up their minds to throw down whomever it nominated.

Another fact lies in the disaffected old line Republican who was disappointed that there was no definite Republican candidate. Add to these facts Curley's personal popularity with the ignorant voters who are caught with the bait of some material gain like increased wages or a job; add also Curley's appeal to the immigrant, that he had the courage to oppose the literacy test in Congress and always stood for unrestricted immigration—this is the combination that held 40,000 or more together. It does not, however, justify the result, and it doesn't express the real choice in a city of 700,000 population with a metropolitan district of one million and a half.

A side light on the question whether woman suffrage would have helped us any may be found in the remark of Mrs. James Curley on the morning after election. "If everyone knew Jim as I do there wouldn't have been a vote cast against him in the whole city."

The other opinion is to the same effect. The result, he says, is

Due partly to the long continued and widespread disgust of the common people for silk stocking (Back Bay) leadership, so-called; partly to the bad tactics of the municipal league which was apparently open to the charge of secret committee manipulation in behalf of Kenney; partly to the highbrow attacks on Curley for his jail offense, which to his supporters, *et al.*, is trivial; partly to the attempt successful hitherto to beat the Irish Catholic democratic ward politician majority by the charter provisions. So many of the highbrow leaders are old fogies, narrow and

even reactionary, that it is difficult to be harsh with the people affected by the stirring of new ideas and ambitions, for not following the highbrows.

The "jail offense" referred to was a three months' term served by Curley upon his conviction for personating a constituent in a civil service examination.



New York.—Mayor Mitchel's appointments to the heads of bureaus and departments have been received with general approval; as has his declaration that he did not care to do any prophesying; he preferred to report. Among those whom he reappointed are Lawson Purdy, as president of the board of tax commissioners, John J. Murphy, tenement house commissioner, and R. A. C. Smith, dock commissioner. Among his new appointments are Henry Bruere, a director of the Bureau of municipal research, as city chamberlain; Dr. Henry Moskowitz as president of the civil service board; Katherine Bement Davis, commissioner of correction; John A. Kingsbury, commission of public charities. Among Mayor Mitchel's other appointments are, Fire commissioner, Robert Adamson, Mayor Gaynor's secretary, who has expressed a strong interest in fire prevention; street cleaning commissioner, John T. Featherston; park commissioner for Manhattan, who is automatically president of the park board, George Cabot Ward; park commissioner for Brooklyn, Raymond V. Ingersoll, a member of the council of the National Municipal League, as is Mr. Purdy; commissioner of bridges, F. J. H. Kracke; tax commissioners, Collin Woodward and Adolph L. Kline, who has been mayor since the death of William J. Gaynor; members board of assessors, Alfred P. W. Seaman, Jacob J. Lesser and William C. Ormond; civil service commissioner, Darwin R. James, Jr.



Pittsburgh has recently been the scene of some very interesting politics. The mayor's major appointments were favorably

considered; but the deputies seem to have been selected with a view to giving to the political organization responsible for Mr. Armstrong's election the substantial fruits of the victory and to build up a strong political organization. So much criticism has been aroused, and so much of it has been directed to the form of government, that H. D. W. English, the president of the civic commission, issued the following formal statement:

Despite failures of men in cities here and there to measure up to the standard set by the advocates of commission government, the form is not by any means a failure.

We do not have in Pittsburgh the straight commission form of government, our executive and legislative departments being separate. We do have a small councilmanic body of nine elected at large, which is a great improvement over the old system of ward representation.

Our present situation, with a city council wasting the taxpayers' money by creating jobs and increasing salaries and approving the appointments of undesirable men to office, is due entirely to the introduction of state politics into municipal affairs. It is an attempt of a state machine to capture a city.

We have as councilmen nine good business and professional men, by far the best council this city ever had. They are personally honest and stand well in business and professional life. Undoubtedly they went into office with the highest and best motives for the service of their city and their community. We believe they have failed to live up to these ideals and the demands of the community because a majority of them have permitted themselves to become entangled in the present state fight.

Instead of every action being prompted by thought of the city's needs, it is warped and twisted to meet the political necessities of the state machine. If Pittsburgh's new councilmanic system fails it will not be because the system is not good, but because the men elected under it have permitted themselves to be carried away by state politics rather than municipal business.

Errors made in appointments and salary raises cannot be justified and the officials who have permitted it will finally pay the penalty.

The citizens of Pittsburgh and the civic commission still believe in the present form of city government. Unfortunately

the legislature did not give us the initiative, referendum and the recall, which was a part of our charter plan.

With these effective instruments our position would be different. A majority of our council, instead of working for a state machine, would be working for the citizens of Pittsburgh. It is a most emphatic illustration of the absolute need of the initiative, referendum and recall to make effective the best form of municipal government. In addition it is a most striking example of the pernicious effects of state machine interference in local affairs.

✱

Toledo.—Concerning the four terms of Brand Whitlock as mayor, which came to a conclusion on December 31, 1913, the *Toledo Blade* said editorially:

While the world at large knows Brand Whitlock as author, lecturer and student of sociological affairs, his home city knows him for certain quite practical achievements in municipal administration. It knows him as one who has transformed the political outlook of an entire community. Further, it knows him as a man of rare and sympathetic qualities.

In the course of time, the achievements in municipal administration may be forgotten, or lost sight of amid the newer and bolder works of a wealthier city. But it will not be forgotten that Mr. Whitlock softened the attitude of the stronger toward the weaker, that he held out hope to the oppressed and ignored, broadened the vision of folk who, by reason of tradition or habit, had been blind to all except their own particular interests. Nor will people to whom he has given of his sympathy, to whom his hand has been held out, forget—or the children of these people.

As definite and tangible material betterments brought about in the four terms of Mr. Whitlock may be recited: The transformation of the water works system, the reorganization of the police department, the spurring of the fire department to better service, the establishment of traffic regulations, practical work toward the elimination of the smoke nuisance, the encouragement of more sanitary practices in the manufacture and distribution of food, the planning of the civic center, the reconstruction of the Cherry street bridge and the placing of a new bridge connecting the northern sections of the city.

✱

Cincinnati.—For years the chief reform influence in this city has been the *Citi-*

zens' *Bulletin*, published by Elliott Hunt Pendleton.

The *Bulletin* was founded in 1903 because the daily papers of Cincinnati did not and would not publish the truth concerning what was going on in connection with the administration of city and county affairs. They were at that time to a great extent either a part of the Cox machine or afraid to antagonize that powerful organization.

In the words of a local correspondent:

Within a year after the *Bulletin* was started, the *Post* came over to the support of the cause of reform and has been steadfast ever since. Mr. Scripps, the owner of the *Post*, told Mr. Pendleton that it was the *Citizens' Bulletin* that brought him around. Gradually the *Enquirer* became fairer in its treatment of local affairs and in the municipal elections of 1911 and 1913 heartily supported Mr. Hunt and his associates. During the past two years the *Times-Star* has been the fairest of all the Cincinnati papers in its attitude toward the Hunt administration. The *Commercial Tribune* has been practically the only paper to support the gang. This paper has just changed hands. These changes in the conditions which led to the establishment of the *Bulletin* render it unnecessary to continue the publication of the *Bulletin*.

In my judgment no American municipality has made greater civic progress during the past decade than has been achieved by the city of Cincinnati. It will be very hard for any administration to depart from the high standards that have been established through the efforts of the reform element of our city.¹

✱

Milwaukee.—The former socialist mayor, Emil Seidel, has been renominated for the same office by a referendum vote of the Social Democratic party.

✱

Seattle.—Hiram C. Gill, elected mayor of Seattle in 1910, recalled for misconduct in office in less than a year, and defeated by Mayor Cotterill in 1912, was on March 3 of this year re-elected to that office. He was recalled on charges of allowing gam-

bling and disorderly houses to keep open. In his letter "To the Men and Women of Seattle" announcing his candidacy, Mr. Gill said:

I have made up my mind to become a candidate and to seek election that I may, if successful, demonstrate to you that in the passing of what my political enemies have referred to, and will again refer to, as "Gillism," there also passed all that there was in me that permitted the existence of those conditions which led to my recall. No one realizes more than I that such conditions are forever impossible in this city.

At the subsequent general election Gill was elected over his competitor by a substantial majority. A member of the National Municipal League explained this action of the electors in the following manner:

"Gill was elected because most of his former supporters stayed with him and thousands of his former opponents had faith in his promise to better things. He has always enjoyed the reputation of being sincere and this reputation has so far been justified by his appointment of Austin E. Griffiths as chief of police and his straightforward statement of his program which is simply a policy of genuine economy and the retention of department heads in whom the public have confidence."

Rev. M. A. Matthews, D.D., pastor of the First Presbyterian Church of Seattle and an active factor in the civic life of the city, in a survey of the situation said: "Remember that the man who made his plea for sympathy on the ground of reformation and change of viewpoint will in my opinion try to live up to his professions, and if he does he ought to have the sympathy and encouragement and assistance of all the people. Every man has a right to change, every man ought to change and become Godly, upright and consecrated, and if he does change he ought to have the encouragement of all the people. . . . Remember Seattle is clean and will remain clean. The last election did not mean any change from the good policy on Seattle's part."

¹ In the July issue we hope to have a survey of Mayor Hunt's administration.

Others have borne similar testimony and it would seem as if the recall had been the means of truly converting to sound views of public policy a man of original sound ability.

CLINTON ROGERS WOODRUFF.



Chicago's Election Frauds.—Stirring incidents have been treading on each other's heels in the prosecution of the Chicago election fraud cases. The first trial resulted in the conviction of two participants in the frauds and sensational developments are promised in the second trial, which is under way.

Preliminary to the trial of the first case one week was spent in arguing a motion to quash the indictment, one of the contentions being that the law under which the indictment was drawn was unconstitutional. The defense decided to put the question to an immediate test, and for that purpose instituted proceedings in habeas corpus. To save delay, the special state's attorney, John E. Northup, agreed to submit the case to the supreme court at once. The day following the filing of the petition the court rendered an opinion holding the law constitutional.

Then followed a week in procuring a jury. The defendants placed on trial were Charles Baranov, David Rose, Joseph Gordon and Thomas Geary. Baranov was a judge of election and the other defendants were either workers or watchers at the polls. The specific charge against these defendants was the altering of ballots cast by the voters.

Fifty-one ballots marked in this manner were introduced in evidence. These ballots had been carefully examined by John F. Tyrrell, of Milwaukee, handwriting expert who arranged the ballots in groups of ten or fifteen. He said the crosses made on the ballots clearly indicated that all of the ballots in several groups had been marked by the same person. Four different and distinct styles of crosses were pointed out on the fifty-one ballots, exclusive of the cross made by the voter. These

facts indicated that four men had participated in the illegal marking and altering of the ballots.

The difficulty in proving a case of this nature was apparent at the outset because of the fact that it was necessary for the state to establish in minute detail the official character of the ballots. From the time the names of the candidates which were to be placed upon said ballots were certified to the election commissioners who are authorized by law to have the ballots printed, until they were deposited in the ballot box each step had to be presented to the jury in formal testimony. It was then necessary to trace the ballots from the depositing of same in the ballot box in the election precinct to the moment of their introduction in evidence before the jury, and to prove further that they had not been tampered with and that they were in the same condition as when delivered to the election commissioners' office by the judges and clerks of election of the particular precinct. In view of the fact that the trial of this case was had at a date one year and two months after the ballots had been cast by the voters, the difficulty is apparent. It required the calling of one hundred or more witnesses to make this formal proof, together with numerous other witnesses whose testimony tended to establish links in the chain of evidence.

The state's attorney in whose interest these ballots were marked was subpoenaed as a witness for the defense, but he left the city on the day he was to take the stand. Carter H. Harrison, the mayor, and a member of the political party that profited by the frauds committed during the election, was also called as a witness for the defense, as, also, was Peter Bartzen, defeated candidate for president of the county board, another beneficiary of the fraudulent marking of ballots. The trial consumed a trifle over three weeks, at the end of which time the jury brought in a verdict of guilty as to Rose and Gordon. The punishment fixed by statute is from one to five years in the penitentiary.

In the meantime State's Attorney

¹ See National Municipal Review, Vol. III, p. 153.

Hoyne had been prosecuting a case in quo warranto questioning the legality of the appointment of Mr. Northup as special state's attorney to try the election fraud cases. A day or two following the verdict the appellate court handed down a decision holding that Judge William Fenimore Cooper had acted within the law and had jurisdiction to make the appointment. A petition for a re-hearing was filed by Mr. Hoyne in the appellate court but a few days later it was denied. This decision fixed the legal status of Mr. Northup as special state's attorney to prosecute the election frauds of the November, 1912, election.

Upon the convictions obtained in the first trial and the decision of the appellate court, a resolution was presented to the county board recommending the appropriation of \$20,000 for the continuance of the prosecution of violators of the election laws. This made the fifteenth attempt to make appropriation for this purpose. Mr. Hoyne's followers on the county board were strong enough to defeat the appropriation.

Shortly after the first trial was begun Mr. Hoyne caused the indictment of Samuel Goldman, who will be one of the principal witnesses in the second trial, on the charge of subornation of perjury. It was charged that he had promised money or employment to certain persons if they would testify they had seen frauds committed. The indictment was brought about in a sensational manner and given great publicity, with a view, Mr. Northup believes, to embarrassing the prosecution of the cases. The evidence against Goldman was furnished by a man who had been employed by Mr. Northup in investigating the fraud cases and had been discharged. At the time the evidence was heard before the grand jury at the direction of Mr. Hoyne, this former investigator was under indictment by the special grand jury for perjury as a result of his testimony in the case against Goldman. This information, however, it is understood was not known to the grand jury which indicted Goldman.

On February 5 the special state's attorney Mr. Northup, began the trial of the second fraud case, in which were seven defendants. One of them has turned state's evidence and another, who had asked to be a state's witness, was mysteriously drowned in the drainage canal, leaving five defendants on trial. At this writing the jury is being selected.

The latest move made by Mr. Hoyne has been to obtain practical control of the county board. He has been able to cause resolutions to be passed making him the legal adviser of the board and placing him at the head of the county's law department. President McCormick vetoed the resolutions, but the Hoyne following kept up the fight. At a recent meeting the board adopted a resolution demanding an investigation of the conduct of the special grand jury which returned the indictments against the election officials; that Mr. Northup present to the board a statement showing in detail from whom he had obtained the money to carry on his investigations and prosecutions, and how he had spent it. The purpose of the resolution is intended, in the opinion of Mr. Northup, to throttle the prosecution and dispense with the services of the special grand jury. Up to this writing Mr. Northup has failed to respond to the demands of the resolution.¹

ANDREW H. YOUNT.

✱

Absentee Voting.—The subject of voting away from home has been prominent this year and at least three states passed acts permitting absent voting. The unavoidably absent voter from the city and county of St. Louis may vote in any city or county in the state of Missouri by affidavit for the county, district, state and national officers. The voter votes at the polling place and the ballot is filed with the county clerk. Voting away from home is provided for also in South Dakota

¹Since the above was written the second group of defendants were admitted. The trial of B. J. Mahony, assistant state's attorney, likewise charged with election fraud which followed, resulted in a disagreement of the jury.

and in California. In the latter state the voter must notify the election officials in advance so that a ballot may be sent to the place where he desires to vote.

*

Women in Office.—For the first time the city council of Berlin has elected a woman as citizen deputy. The lady in question has been chosen to serve on the deputation for poor relief. Miss Esther M. Jones of Lethbridge, Alberta, Canada, enjoys the distinction of being the first woman to hold the office of city clerk in a Canadian city.

*

Women's Municipal Party.—A women's municipal party has been organized in London through the efforts of Mrs. O'Sullivan. The Duchess of Marlborough is chairman of the council of the organization. The purpose of this party is to bring forward and promote the cause of women candidates for seats in the London County Council. The party has no municipal platform of its own but supports the candidacy of women regardless of their political views or affiliations.

Political Pressure on German Officials.

—In the city of Lichtenberg two Social Democrats were recently elected to the city administrative board. Their selection was due to the backing of local parties comprising in large part the local officials. As a result of this pernicious political activity on the part of public officials disciplinary proceedings are to be instituted by the higher authorities against those advocating the selection in question.

R. M. J.

*

Social Democratic Gains in German Municipal Councils.

—The year 1913 showed an increase of 1,559 in the number of social democrats on municipal councils. The total number of councillors of that party in office amounted in the past year to 12,001. But the November, 1913, elections seemed to show that a reaction had set in because of substantial gains made by the other parties. The cities are the strongholds of the Social Democrats who, particularly in Prussia, have practically no chance to elect representatives to the state legislatures. In the German Reichstag moreover the failure to reapportion the constituencies results in a gross under-representation of this numerically very formidable party.

R. M. J.

IV. MISCELLANEOUS

St. Louis Pageant.—Giving a man, woman or child from each city block a part in a great municipal play is the means taken in St. Louis to arouse a new and enthusiastic civic spirit. This play, to be called "The Pageant and Masque of Saint Louis," is to re-enact the many romantic episodes in the history of the city from the time of the mystery-veiled mound builders to the close of the Civil War. A committee of three hundred members, composed of duly elected representatives of virtually every civic, business, racial and social organization in St. Louis, is in charge of the arrangements for the pageant and masque, which is to be given out of doors. There will be more than 7,000 actors and actresses, drawn from each city

block in St. Louis. The performance is to be given next May in the great natural amphitheatre in Forest Park, the people's chief playground. There is room for 80,000 spectators, and most of the seats will be free. The expenses, estimated at \$125,000, are being met by popular subscription.

The idea for the whole affair began with Miss Charlotte Rumbold, secretary of the St. Louis Public Recreation Commission. Each year, the children of the playgrounds, under her direction, meet to give an entertainment, which sometimes takes the form of a series of dances, or a play. Watching the children from all sections of the city playing together in perfect harmony on the occasion of one of these entertainments,

the thought flashed into Miss Rumbold's mind:

"If the children will play together, their fathers will work together. Here is the secret of the unification of the various sections and interests of St. Louis into one strong, hearty co-operative movement for the good of the city. It is the biggest idea of the new century for St. Louis."

She told several business men of her thought. They immediately offered to capitalize the idea for any amount that might be needed, providing she would suggest a practical plan for working it out. The pageant and masque is the result. Considered at first as merely a subsidiary part of the annual fall festivities, the plan grew until now it eclipses in magnitude any venture of the sort that has been made in St. Louis for a decade. St. Louis is fortunate, among western cities, in having not only an especially interesting history upon which to build a pageant, but also an ideal spot in which to produce it. In preparing for the event, the committee of three hundred interviewed the leading pageant masters of America and England. Choice finally fell upon Percy MacKaye, Thomas Wood Stevens and Joseph Lindon Smith, as the authors and directors. Mr. Stevens, who is head of the school of drama in the Carnegie Institute, Pittsburgh, is writing and will stage the pageant. The pageant concerns itself entirely with the facts of history. It is to be followed immediately by the masque, which is to be a symbolic interpretation, in dramatic form, of those St. Louis events which have been world-forces. Mr. MacKaye is writing the masque, and will have the assistance of Mr. Smith in staging it. Frederick S. Converse, one of the founders of the Boston Opera Company, is writing the music for the masque.

The enterprise, while it is planned as the world's most ambitious venture into this form of art, is valued chiefly in St. Louis for the close and friendly association in which it is bringing thousands of citizens who hitherto have been unknown to one another, and for the vast possibilities

of future civic progress which this friendly association means.

✱

Schools Giving Instruction in Municipal Administration.—In Germany. Hochschule für Kommunale und Soziale Verwaltung in Cöln a. R. School maintained by the city. Lectures in municipal administration given since 1907; systematic instruction begun in 1911. References: Eckert, Chr. Die städtische Handelshochschule in Cöln. Cöln, 1911. Weber, Adolf. Die Cölner Hochschule. Cöln, 1912, *Kommunales Jahrbuch*. Jahrg. 5, 1912-13, p. 369-371.

Akademie für Kommunale Verwaltung in Düsseldorf. Opened, October 30, 1911. References: Stier-Somlo, F. *Kommunale Wissenschaften und Kommunale Ausbildung*. (Address at opening of the school.) Berlin, 1911. Düsseldorf Verwaltungsbericht, 1911-12. *Kommunales Jahrbuch* Jahrg. 5, 1912-13, p. 371-373.

Frankfurt a. M. Stiftungsuniversität. Founded by royal Prussian sanction in summer of 1912. Not yet organized. Not a municipal school, but to be conducted under direction of the Prussian minister of education. Project was met with good deal of opposition. Purpose of institution seems to be to afford higher instruction to industrial and commercial classes. Sum of six million marks guaranteed as an initial fund. Neither city nor state is to assume financial responsibility. City, however, turns over to the university its hospitals, museums, libraries, etc., to be part of the institution and to serve as laboratories. References: Prussia. Haus der Abgeordneten Stenographische Protokolle Sitzung 47, 1912, p. 3759-3779. *Kommunales Jahrbuch*. Jahrg. 5, 1912-13, p. 372.

Schools for Training of City Officials, (i. e. Persons already in employ of city).—Hochschulkurse für Kommunalbeamte, Munich. The Zentralverband der Gemeindebeamten of Bavaria (Central Association of City Officials of Bavaria) proposes to establish a school for the training of city administrators. At pres-

ent the proposition has advanced only to holding of lectures in the Handelshochschule (Commercial high school) in Munich, the first course having been given in the winter semester 1912-13. It is open to city employees and to academically trained persons intending to enter municipal service. Address: Munich, Ludwigstrasse, 4.

Gemeindebeamtenschule zu Aschersleben. Opened, 1910. First school of its kind in Germany. Maintained by the city.

Kommunale beamtenfachschule des Kreises Mettmann. Opened in September, 1911. Supported jointly by the cities of the Kreis (district) and the local association of city officials.

Beamtenschule in Posen. Opened, October, 1911. Address Prof. Dr. Giese, Posen W 3.

Städtische Verwaltungsbeamtenschule in Düsseldorf. Not to be confounded with the Akademie für Kommunale Verwaltung in Düsseldorf. Opened, 1910. References: Düsseldorf. Verwaltungsbericht 1911-12, 1912-13.

Gemeindebeamtenschule in Waldbroel. Opened, January, 1911.

ADELAIDE R. HASSE.

✱

A New Academy for Municipal Officials in Dortmund. The latest German city to establish a school for municipal officials is the manufacturing and industrial center, Dortmund. This school, which is to serve the Province of Westphalia, has received the indorsement of the higher administrative officials who have agreed to give preference in appointments to such officials as take the courses offered therein.

✱

Growth of Academy of Municipal Administration in Cologne. The attendance at the Cologne Academy for Municipal Administration surpassed all previous records during the past winter semester. The total number of students registered was 334. Up to the present there have been nineteen students to receive diplomas at the institution.

The Civics Room of the Chicago Library.—About a year ago the Chicago Public Library set aside a special room for materials bearing on education, business, economics, sociology, municipal affairs, and political science generally. Dr. Henry E. Legler, the librarian, makes the following report on the results of the first year's experiment:

The use of the materials bearing on economics, sociology, municipal affairs and political science has more than justified the establishment of the specialized work grouped under the general head of civics. Members of the city council and of the legislature, city officials and employees of related organizations, committees of the association of commerce and of other unofficial bodies have repeatedly used this material for reference and research, and great numbers of post-graduate students taking courses at the University of Chicago, Northwestern University, Lake Forest University, and other students in the numerous educational institutions located here and in academies and colleges within a radius of fifty or sixty miles, have at times taxed the resources of the department to meet their needs. As regards the use of the material generously provided for teachers along lines of pedagogy we have been somewhat disappointed. The material for business men has been used considerably, but a great field in this direction still remains unexplored and unpromoted. The statistical summary herewith given, while making a satisfactory showing as to use, really gives no full statement of the actual results accomplished, for the reason that many of these are not reducible to statistical tabulation. To tell that part of the story would require an extended narrative of the individual instances of productive results reached through the aid which this department has rendered during the year 1913:

Number of patrons	50,016
City, business and special directories consulted	20,832
Magazines on education, economics and sociology issued	19,231

Books on these subjects consulted

in this room..... 16,415
Pamphlets issued..... 110,850

No count was kept of the clippings used, but very considerable use was made of them.

*

American Urban Unemployment.—As a result of the present business depression many cities in the United States are confronted by the distress of thousands of men and women out of employment. In Chicago, the advisability of transporting unemployed men and women to sections of the country where work may be expected is under consideration by the officers of the recently formed American Association of Public Employment, and after conferences with the labor commissioners of Massachusetts, Indiana, Wisconsin, Michigan, and Illinois, they have determined to advocate the establishment of public employment offices in all the cities and states where they do not now exist, and to co-operate with other cities and states in the exchange of information which may be of advantage to the unemployed. In Los Angeles, a resolution has been drawn up demanding that the city and county appropriate \$1,000,000 for public work as a means of securing employment for some five thousand unemployed in the city. In Chattanooga, Tennessee, the municipal employment bureau has bent every energy to solve the problem of over a thousand unemployed high-grade workmen stranded in the city as a result of the widespread advertising of the opportunities and climate of the city in which it recently engaged. In Portland, Oregon, plans have been made to push park and other public improvements in order to make use of the unemployed men in the city. This attitude of helpful co-operation on the part of many cities in securing work for large numbers out of employment is an advance toward progressive municipal government that charges itself "with promoting and preserving the public welfare."¹

¹ Murray Gross. See Miss Frances A. Kellor's article, *supra*.

Los Angeles Municipal Annexation.—Among the earliest acts of Mayor Rose was the appointment of an annexation commission to study ways and means to bring under one government the entire metropolitan area. This commission has progressed far enough to make a report which favors the bringing of the entire group of towns and districts into Los Angeles, while preserving a local control of local problems. Each district remote from the city's center is to recommend to the council the appointment of a board of public improvement, the personnel of each board to be determined by the people of its particular district. Questions of local concern are to be passed on by these boards of improvement, the city council reserving the power of veto.

By this method Los Angeles expects to add 150,000 acres, containing 100,000 people, to her municipal area.

*

City Publications.—Cleveland is to have a city record to contain the transactions and proceedings of the council, the legal advertising of the city and such other information relating to the affairs of the city as shall be determined by ordinance. The *City Record* will be published, distributed and sold in such manner and on such terms as the council may determine.

St. Louis has under consideration an official publication like the *Boston City Record*. The Board of Freeholders are opposed to the "boosting" type of publication.

*

Denver and the Moffat Tunnel.—At a special city election, February 17, Denver voted \$3,000,000.00 in bonds to aid in the construction of the Moffat tunnel through the Rocky Mountains. The city retains ownership in the tunnel until the interest and principal have been paid by the Denver, Northwestern and Pacific railroad. Provisions are included in the contract so that other roads may use the tunnel on reasonable terms, and the city may use it to carry water from the other

side of the divide. The city thus hopes to get direct access to Salt Lake City and the Pacific coast. In view of the commercial benefits which are expected to come to the people of Denver, the city felt justified in lending its credit to the support of the enterprise.

WILLIAM BETHKE.¹

✱

Ohio Municipal League.—The third annual convention was held in Columbus, January 21 and 22. The leading subjects of discussion were: municipal civil service; the financial condition of Ohio cities; the progress of charter reform under the home-rule amendment to the constitution, adopted in 1912.

The most active discussion centered around Mayor Baker's address upon the financial condition confronting Ohio cities. He gave a trenchant criticism of the present statutory restrictions upon the taxing and borrowing powers of cities, and made a strong plea for home-rule in taxation. All who took part in the discussion were in substantial agreement that under the present inelastic limitations, revenue adequate to the needs of the cities, economically administered, cannot be produced; and that unless the cities are accorded greater financial liberty they must abandon some indispensable services in the promotion of social welfare. On this matter the league adopted resolutions which were presented to the governor, as a basis for recommendation to the general assembly, then in special session. These resolutions advocated municipal home-rule in taxation, and requested that provision be made for appointment of a state commission to investigate and report upon the taxation situation, with special reference to sources of local revenue. The resolutions further urged that legislation be enacted providing immediate relief to the cities in the following ways: (1) the relinquishment by the state, in favor of the several cities, of its portion of the liquor license fees; (2) the abandonment of the direct state levy, exclusive of the levy for good roads; (3)

the returning to the city of a substantial part of the receipts from automobile license fees.

Charles E. Ashburner, formerly business manager of Staunton, Va., now city manager of Springfield, Ohio, presented a paper upon the city manager form for smaller cities. R. E. Miles, formerly director of the Cincinnati bureau of municipal research, outlined his plans for the newly created Ohio institute for public efficiency. This institute, of which Mr. Miles is director, will constitute a central clearing house for municipal research for the cities of the state. Pres. Hoskins of the state civil service commission, explained the provisions of the new civil service law, which enlarges the application of the merit system in municipal civil service, extends the system to state and county, and creates a state commission. This commission not only administers the law for the state and county services but exercises certain powers of supervision over municipal civil service commissions.

For the ensuing year Rev. Dr. Washington Gladden was elected president of the League, and F. W. Coker, of Ohio State University, was chosen secretary-treasurer. Mr. Coker succeeds Mayo Fesler, who refused re-election in order to devote his entire time to the Municipal Association of Cleveland.

F. W. COKER.

✱

Colorado Municipal Conference.—The first municipal conference in the state of Colorado was held at Boulder, February 16 and 17, under the auspices of the Extension Division of the State University. The meetings were much enriched by the very stimulating addresses of Clinton Rogers Woodruff. He characterized the papers and discussions as being very democratic and public spirited. The address by Commissioner J. Knox Burton of Pueblo, on commission government in operation, attracted much attention. Mr. Burton concluded from an analysis of the actual workings of commission government in Pueblo that the system does not insure expert heads for administrative de-

¹ University of Colorado.

partments. The sentiment of the meeting seemed to be that, although the business manager type may ideally be more perfect than the commission form, the movement toward the new type ought to be slow until a supply of really efficient city managers can be developed.

The conference formed a permanent organization and took steps toward the establishment of a municipal reference bureau in connection with the university. The following officers were elected: president, Mayor J. M. Perkins, Denver; vice-president, Mayor S. L. Clammer, Fort Collins; secretary, Dr. L. D. Osborn, director of the extension Division, University of Colorado; treasurer, J. Knox Burton, Pueblo; auditor, F. D. Stackhouse, chief clerk, Department of Social Welfare, Denver.

WILLIAM BETHKE.

✱

Dr. John Nolen of Cambridge, Massachusetts, is now in Ireland, at the invitation of Lady Aberdeen to help to replan Dublin and to organize a civic exhibition, as a basis for a civic revival in Ireland.

✱

Harold S. Ryerson, for two years assistant secretary of the Municipal League of Los Angeles, has been elected, to the position of secretary made vacant by the death of Charles D. Willard. It was Mr. Willard who chose Mr. Ryerson for league service. According to the *California Outlook* he took a keen interest in the work of his young assistant and constantly gave him the benefit of counsel and advice based on many years of public service experience. Mr. Ryerson proved an apt student of municipal and social problems, and has well merited the trust now reposed in him. Prior to entering the league on March 1, 1912, Mr. Ryerson was supervisor of physical education and hygiene in the Los Angeles schools, a position he accepted after having made an excellent record as superintendent of playgrounds for the Pasadena school department.

Edward LeMoyne Heydecker, for years assistant tax commissioner in New York under Lawson Purdy, died February 12 at his home in Mount Vernon, New York. At the time of his death, Mr. Heydecker, known as one of the foremost tax experts in the country, was chairman of the National Municipal League's committee on new sources of revenue. His address at the Los Angeles meeting¹ was generally regarded as one of the most effective presentations of the subject that had been made before the league. His eldest son is assistant secretary of the New York City Club.

✱

William H. Edwards, who was street cleaning commissioner under Mayors McClellan and Gaynor, was not reappointed by Mayor Mitchel, but he has taken up similar work for the city of Newark, New Jersey. It is reported that he is getting a higher salary in Newark than he did in New York.

✱

Samuel L. Shank, formerly mayor of Indianapolis who resigned while in office, has gone on the vaudeville stage.

✱

William L. Ransom, a well known Progressive of New York, was elected city court judge of New York on the Fusion ticket.

✱

Dr. Livingston L. Farrand, for years the efficient executive secretary of the National Association for the Study and Prevention of Tuberculosis, has resigned this position, as well as his professorship in Columbia University, to become president of the University of Colorado.

✱

J. O. Hammitt, formerly secretary of the New York Citizens' Union, has been appointed head of the Fire Prevention Bureau of the New York Fire Department under Mayor Mitchel's administration.

¹Volume II, page 577.

Stuart Wood of Philadelphia, a member of the National Municipal League from the time of its organization, died March 3, 1914. He was treasurer of the American Academy of Political and Social Science and identified with a large number of learned and scientific bodies.

Samuel B. Capen, who was vice-president of the National Municipal League from 1894 to 1905, died January 29, 1914. Mr. Capen was the president of the old Boston Municipal League and has for years been actively identified with the movement for improving municipal conditions.

DEPARTMENT OF REPORTS AND REVIEWS

CRITICAL AND INTERPRETATIVE

PROFESSOR JOHN ARCHIBALD FAIRLIE, *University of Illinois*,
Associate Editor in Charge

ASSISTED BY

CHARLES D. MAHAFFIE, *Portland, Oregon*

Public Service Commission Reports.¹—The courts have established the principle that a public utility is entitled to a reasonable return upon the fair value of its property and that it must render adequate service. They have, however, failed to formulate any definite principles as to what constitutes fair value, or adequate service. But recent reports of public service commissions indicate that these bodies to whom has been entrusted the duty of regulation are developing well defined

usages and principles in the regulation of public utilities.

The last report of the Wisconsin commission describes its work for the year ending June 30, 1912. The work of this commission had been materially increased in the preceding two years, as the law had been amended, requiring any change in rates or classification to be approved by the commission before going into effect. The report contains a description of the work accomplished. It criticises municipal accounting, for difficulty has been encountered in getting the municipally owned utilities to follow the uniform accounting rules prescribed. The decisions of the commission are printed in separate volumes, issued irregularly, of which seven have appeared. These decisions have been criticised on the ground that they are too voluminous. But they set forth clearly and logically all the facts and reasoning upon which the decisions rest, which can not be said of the decisions of several of the commissions.

The latest report of the Massachusetts gas and electric light commission contains a separate collection of statistics regarding municipally operated lighting plants, of which there are thirty-two in the state. Considerable space is occupied by the discussion of the board's approval of consolidations. The question as to the proper method of conducting valuations is not touched upon, as it has been customary for the board to base an estimate as to the amount upon which a return should be permitted, upon the securities which have been approved by the board.

The Rhode Island public utilities com-

¹ Report of the Public Service Commission of Ohio for the year 1912, 1162 pages.

Sixth Annual Report of the Railroad Commission of Wisconsin; Wisconsin Railroad Commission Reports, Volumes 6 and 7.

Third Annual Report of the Board of Public Utility Commissioners for the State of New Jersey, for the year 1912, 504 pages.

Twenty-eighth Annual Report of the Board of Gas and Electric Light Commissioners of the Commonwealth of Massachusetts, 433 pages.

Report of the Public Service Commission of Maryland for the year 1912, 629 pages.

Annual Report of the Public Utilities Commission of the State of Rhode Island, for the year ending December 31, 1912, 177 pages.

Fifth Annual Report of the Corporation Commission of the State of Oklahoma, 853 pages.

State of Connecticut, First Annual Report of the Public Utilities Commission, 768 pages.

Second Report of the Public Service Commission of New Hampshire, 1577 pages.

First Annual Report of the Public Service Commission of Washington, 292 pages.

Report of the Public Service Commission for the First District of New York, for the year ending December 31, 1912, Volume I, 901 pages.

Reports of Decisions of the Public Service Commission, Second District of the State of New York, from July 1, 1911, to May 7, 1913, Volume 3, 871 pages.

Report on the United Railways Company of St. Louis, by the St. Louis Public Service Commission, 382 pages.

mission was organized on May 8, 1912, and during the remainder of the year 1912 had fifty-one complaints before it. Needless to say, it has not yet developed theories of rate making or valuation. But its first report indicates that it has improved service. It reports that as the result of its work the only discriminations which now exist are those which arise from contracts entered into between utilities and the customers, prior to the enactment of the public utilities law.

The public service commission for the first district, New York, in addition to its regular duties, is successor to the board of rapid transit railroad commissioners, and is entrusted with the work of planning new rapid transit routes, the letting of contracts for the construction of elevated roads and subways, and providing for the operation of such roads. Much of the board's attention of late has been occupied with planning additions to the subway. Nevertheless, it has exercised general supervision over all the utilities under its jurisdiction. Its last report indicates that, during the year, it considered 1,707 complaints, which were largely concerning service and equipment. The report contains all the orders issued by the commission during the year 1912.

The public service commission for the second district has issued in a bound volume its decisions from July 1, 1911, to May 7, 1913. The noticeable feature of this report is the comparatively small number of rate cases. The attention of the commission has been largely taken up with matters of capitalization, franchises, and service. The discussions of the question of capitalization of public utilities to be found in the reports of this commission are probably more full and complete than those to be found elsewhere.

The report of the New Hampshire commission deals largely with application for the authorization of new securities, and with efforts to improve the service. Rate cases have apparently thus far been few. One rate case discussed, however, is significant, for it seems to indicate the commission's preference for original cost

as the proper basis for valuations. The report also contains an interesting discussion of discriminations, as shown by free and reduced rate service.

The first report of the Connecticut public utilities commission very definitely rejects the original cost theory, in favor of the cost of reproduction. It also insists upon the law being amended to prohibit the merger or consolidation of utilities without the approval of the commission. The report does not contain the record of informal complaints, many of which were presented verbally, and which were taken up by the commission, either in conference or by letter to the companies, resulting in most cases in adjustment or correction. Many of the commissions are finding this the most satisfactory way to handle minor complaints concerning matters of service.

The New Jersey public utilities commission has given much consideration to franchises granted by municipalities. In a number of cases grants given by the city government have contained provisions regulating service and rates. Since the control of these matters has been placed with the commission by law, the commission refuses to give its approval to any franchise which contains provisions as to rates and services and which does not provide that such regulations are subject to any changes which the commission may make in the future. The commission also indicates its unwillingness to approve franchises to any company when another corporation is already engaged in rendering the service adequately and reasonably. Under such conditions "the company in possession is not to be subjected to competition." The most important rate case reported is the public service gas case, in which the board developed its theory of "going value."

The most important subject before the Maryland public service commission in 1912 was the matter of telephone rates in Baltimore. A completely new schedule of telephone rates was established, which appears in the report of the commission for 1912. The Maryland commission is

the one commission which thus far has not made any allowance, in valuations, for intangible elements. Although it has made several valuations of large properties, it has, up to the present, included in its valuations nothing but physical or structural values.

The railroad commission of Ohio has been transformed into the public service commission of Ohio, jurisdiction being given it over all public utilities in the state. This was done without any change in the personnel, membership or organization of the railroad commission, although competent specialists have been employed in the various technical branches of the work. The first report of this commission indicates that it has given particular attention to the regulation of capitalization. The report contains a discussion of the authorization of the issuance of new securities to companies already over-capitalized, when such fictitious stock has been issued previous to governmental regulation.

The report of the Oklahoma corporation commission indicates that it has given its greatest attention to rate cases. It has also assisted in the prosecution of railroads before the inter-state commerce commission. The commission has been conducting a valuation of all the utilities in the state, which it reports as being not yet completed.

On June 8, 1911, the railroad commission of Washington was made the public service commission of Washington, and given wide power over all utilities in the state. It was required to make a valuation of all utilities within its jurisdiction, and to this work it has directed its attention, a work not yet completed at the time of the appearance of its first report. This report indicates an effort by the board to eliminate discriminations throughout the state. Practically all the rate cases reported are concerned with railroad rates.

The St. Louis public service commission has not published annual reports, but has issued some very important special reports. Probably the most noteworthy of these is its special report on rates charged by the United railways company of St. Louis, in

which it claims the earnings of the company are much in excess of a reasonable return. This report is of particular importance because of its defense of the original cost theory of valuation, which was applied to the property of the united railways company.

Practically all the above mentioned reports are accompanied by statistics as to investment, capitalization, earnings, operating expenses, cost of production, rates charged consumer, etc., by all utilities within the jurisdiction of the commissions. Some of the commissions include such statistics in the volume containing the report of the year's work, others issue the statistics in a separate volume.

RALPH E. HEILMAN.

State University of Iowa.



Social Service.—*The Social Year Book.* Cleveland Federation for Charity and Philanthropy, Cleveland, December, 1913, pp. 238. Price, 25 cents.

This is the record of the first year's work of the Cleveland federation for charity and philanthropy which was founded early last year. The federation itself was the result of action taken by the Cleveland chamber of commerce, January 7, 1913, adopting the recommendations of its committee on benevolent associations. Those recommendations grew out of the increasing demands upon benevolent societies and the decreasing number of givers. The committee proposed to create a large body of intelligent givers by spending in social education a part of the money which on the competitive basis of charitable appeal went simply to advertising one form of charity at the expense of its rivals. Accordingly, out of 165 benevolent organizations listed in 1910, all but ten of the seventy-eight making general appeals for support have joined the federation; of the remainder seven are inactive and eighty are supported by endowment in one form or another. Members of the federation agree: (1) not to solicit for current expenses persons contributing to the federa-

tion, while remaining free to solicit others as heretofore; (2) not to circulate tags, tickets, etc., and to do away as soon as possible with benefit bazaars, fairs, etc.; (3) to consult with the federation about raising funds for purposes outside of current expenses; (4) to make reports as desired and to keep books open to audit by the federation's board.

Under this plan all contributions are sent in direct to the federation treasurer, with or without designation as to how the money is eventually to be distributed. The gains under this system have been surprising. First, the total gifts have increased from \$126,735 in 1911-12 to \$214,363 in 1913, a gain of nearly seventy per cent. Second, the number of givers increased by over 2,000, though the total of their contributions was only about \$15,000. Third, there was a notable saving in moving away from the practice of paying commissions to subscription solicitors—amounting heretofore to from 10 to 33½ per cent. Fourth, an opportunity was gained for greater publicity in the field of benevolence. The federation furnishes about a page a week of "benevolent news" for the education of Cleveland "social stockholders."

The larger part of this report is given over to short records of the work of organizations federated. For the most part the records are written in good tone, well illustrated and attractively printed. While of course it is too early to predict exactly how the Cleveland experiment will work out it is safe to say that it is a move in the right direction, perhaps the highest point to which charity federation under private direction can be carried. It would be desirable to work out a plan whereby the federation might be in even closer relations with public relief authorities. That we hope will be Cleveland's next step.

Bulletin No. 2 of the Social Research Council of Boston. (Publications of the Department of Social Ethics in Harvard University, No. 6.) Cambridge, December, 1913.

The very useful service performed by

Boston council's first bulletin issued a year and a half ago is supplemented by bulletin No. 2 which has just appeared. The purpose of these bulletins is to announce social investigations under way or recently completed, in order to prevent overlapping. It is the federation idea, already worked out in philanthropy, now extended into the domain of social research. The first bulletin covered 125 studies; the second adds studies newly undertaken and some of which the council was unable to get direct record in 1912. The range of topics is wide, including population, housing and land, health and sanitation, communication, alcoholism, domestic relations, unemployment, accidents and disease, child labor and legislation, health of children, and a good select list of Massachusetts official publications containing materials upon social subjects. These bulletins ought to save a great deal of wasted effort, a sense of futility on the part of the investigator who discovers that he is simply repeating the motions of others, and a sense of irritation on the part of those who are investigated, those helpless victims of the interviewer and the questionnaire.

ARTHUR J. TODD.

University of Illinois.



The Newburgh Survey. Russell Sage Foundation, June, 1913.

These reports show the results of two investigations carried on under the direction of the department of surveys and exhibit of the Russell Sage Foundation. The sub-title of the Newburgh survey states that it includes "reports of limited investigations in social conditions"; but a considerable part of the field has been covered, and reports are presented on public schools, public health, housing, delinquency, recreation, charities, industrial conditions and municipal administration. The purpose of the survey was constructive; and each sectional report contains recommendations for improvements. There is, however, no general summary or co-ordination of the conclusions of the separate sectional reports.

Chicago Railway Terminals.—*The Railway Terminal Problem of Chicago.* A series of addresses before the city club. 1913.

Report of Mr. John F. Wallace to the committee on railway terminals of the city council of Chicago. October 20, 1913.

Report on the Rearrangement and Development of the Steam Railroad Terminals of the City of Chicago. By Bion J. Arnold, November 18, 1913.

In the spring of 1913 the union station company and the Pennsylvania railroad company presented plans for a new passenger and a new freight terminal on the west side of Chicago, which opened a prolonged discussion and investigation of the problem of railway terminals in that city. The list of publications at the head of this review include the most important documents in this discussion; and serve as a text for a preliminary review of the situation.

The numerous railroads centering in Chicago make use of six terminals located at different points on the circumference of the "loop" or business district of the city; and these terminals serve to constrict the business area as well as to present serious obstacles to the development of adequate local transportation facilities. Various plans have been proposed for rearranging these terminals, notably that first presented by F. A. Delano of the Wabash railroad for concentrating all the railroad passenger terminals on the south side of Twelfth street. This idea was further developed in the work of the Chicago plan commission. Meanwhile, however, the Chicago and Northwestern railway has been permitted to construct a new terminal on the west side of the Chicago river, near the old union station, and without reference to the proposed series of terminals on Twelfth street.

Under the plans presented last year, a new union station was proposed on substantially the site of the present station on the west side (the head house to be located one block south and west of the present station), and a new freight terminal for the Pennsylvania railroad was pro-

posed to be built two blocks west of Canal street and running north to Van Buren street. These plans were opposed, as involving the abandonment of the Twelfth street passenger terminal and conflicting in many respects with the interests of the city, and the proposals of the Chicago plan commission.

At a series of six meetings arranged by the city club in June, 1913, addresses were given on various proposals for dealing with the terminal problem,—including the plans for the proposed new union station, those of the Chicago plan commission, and others presented by Jarvis Hunt, Pond and Pond, and Guenzel and Drummond. These addresses are given with illustrations in the first of the publications noted above; and present a wide variety of suggestions which cannot be described here in detail.

Following this discussion, and that in the public press, the city council committee on railway terminals employed John F. Wallace of New York as engineering expert to examine and report on the proposals of the union station and Pennsylvania companies. Soon afterwards a citizens' committee employed Bion J. Arnold to make a study of the several terminal plans, including Mr. Wallace's report.

In his report submitted on October 20, Mr. Wallace approved the ordinance for a union passenger terminal as proposed by the union station company, and recommended some modifications in the plans for the proposed new Pennsylvania freight terminal.

Mr. Arnold's report, presented a month later, discussed the whole problem at greater length. He did not concur in Mr. Wallace's conclusions as to the proposed freight terminal; he urged that the new union station should be further south; and he emphasized the importance of considering the larger aspects of the problem, including the straightening of the river, the depression of railroad tracks in the business district, and greater co-operation between the different railroads.

Discussion over these reports in the

council committee with representatives of the railroad companies led to agreement on some changes in the original plans; and after further consideration, the railroads submitted revised plans accepting a number of the suggestions in Mr. Arnold's report. These plans abandon the proposal for locating the new freight terminal west of Canal street, and provide for it east of that street, for straightening the river and for many changes in street grades; but do not alter the location for the proposed passenger terminal.

J. A. F.

*

The Nineteen Local Governments in Chicago is a pamphlet report issued last December by the Chicago bureau of public efficiency. It constitutes one of the latest and one of the most pertinent and impressive arguments for municipal home rule and a shorter ballot. To make the subject matter all the more valuable the larger part of the material is admirably visualized in a series of ten charts.

The report calls attention to the fact that "there are nineteen distinct governing agencies in the territory comprising Chicago, most of them absolutely independent of one another." This number does not include the seven towns still lying within the city and still having a legal existence, nor the governing bodies in Cook county outside the city of Chicago, nor the proposed forest preserve district provided for by the last legislature, nor the state public utilities commission which began its existence January 1, and which will deal more or less intimately with problems of local concern to Chicago. nor, finally, the state legislature which frequently exercises its power to interfere in matters of local administration.

The distinct governing agencies mentioned are: The city of Chicago, the board of education, the library board, the municipal tuberculosis sanitarium, Cook county, sanitary district of Chicago, south park commissioners, west Chicago park commissioners, Lincoln park commissioners, Ridge avenue park commissioners, north shore

park commissioners, Calumet park commissioners, Fernwood park commissioners, Ridge park commissioners, Irving park commissioners, northwest park commissioners, Old Portage park commissioners, Edison park commissioners and west Pullman park commissioners.

The report calls attention to the fact that at certain elections Chicago voters have presented to them one of the largest ballots in the world; that the cost of elections in 1914 to Chicago and Cook county will probably exceed \$1,000,000; that the total number of elective officials whom the voters of Chicago choose or help choose is 368, of whom 231 are local.

The greatest needs of Chicago are then presented as follows: (1) unification of its local governments, and (2) a short ballot. These two propositions are shown to be necessary in order to promote economy in the handling of public funds, efficiency in administration, and intelligent selection of officials. The steps that must be taken to realize these proposals are: (1) Abolish township government within the city; (2) reduce the number of elective officials and appropriately consolidate city departments, of which, it is pointed out, there are more than there are in the government of the United States; (3) co-ordinate and simplify the county government; (4) unify the operation and management of the city's park facilities.

The little pamphlet contains in addition valuable statistical matter relative to the expense of maintaining this multiplicity of elective officials and of local governments, part of this matter being conveniently summarized in the appendix.

RUSSEL M. STORY.

University of Illinois.

*

Milwaukee Reports.—*City of Milwaukee, Wisconsin, Budget.* 1913.

Eighteenth Annual Report of the Board of City Service Commissioners of the City of Milwaukee. January 1, 1913.

Standardization of Salaries of the City of Milwaukee. Report of the Bureau of Municipal Research, November 4, 1913.

A Report on a Preliminary Survey of Certain Departments of the City of Milwaukee. New York Bureau of Municipal Research, April, 1913.

These several reports serve to illustrate the effort in different directions to secure increased efficiency of municipal administration in Milwaukee. The budget is the report of the committee on finance to the common council, in a pamphlet of twelve pages, in nine sections dealing with personal service, material supplies and equipment, new equipment, general funds, contingent fund, interest, redemption and payments, special funds, proposed bond issues, and proposed mortgage certificates. Under each section are shown the amounts for each department or office, in some cases with further sub-divisions; but the budget as a whole is much less detailed than in some cities where budget procedure is more highly developed. The classification scheme also fails to bring together the total expenditure for each department or office.

Less than a page of the report of the city service commission is taken up by the report proper; and the principal statement is that "the board has performed its duties with strictest impartiality," and that appointing officers had always explained to the satisfaction of the board that failure to comply with the rules was unintentional. The volume includes a copy of the city service act, the rules of the board, and statistical data from the Chief Examiners.

Of more value is the report on standardization of salaries. Following a detailed study of the departmental organization, including salaries and duties performed, a new classification of positions has been recommended by the bureau of municipal research and adopted by the city service board. A summary of the salary schedule recommended, in comparison with the former conditions and requests by the departments shows:

Former conditions, 1,944 positions, \$2,171,912.

Requested, 2,108 positions, \$2,495,120.

Recommended, 2,100 positions, \$2,387,580.

An increase of 161 positions was recommended, and a decrease of 5,—92 of the new positions being in the police and fire departments. Increased salaries were recommended for 1,127 positions and decreases for 52 positions.

The preliminary survey of the New York bureau of municipal research covers most of the city departments briefly, and makes 132 suggestions not requiring ordinances or charter changes and 64 suggestions requiring ordinances or charter revision.

*

State Reports on Municipal Finances.—*Fifth Annual Report on the Statistics of Municipal Finances*, Massachusetts Bureau of Statistics. 1913.

Second Annual Report of the Department of Inspection and Supervision of Public Offices of Indiana. 1913.

In the latest report of the Massachusetts bureau of statistics on the finances of cities and towns, there is no important change to note in the character or form of the data presented. These are given in accordance with the general schedule which gives a condensed analysis of the principal sources of revenue and purposes of expenditure. The fifth report appeared within eight months of the preceding report, which indicates progress in issuing the reports closer to the period covered; but as the fifth report presents data for the year 1910, there is room for further improvement in this direction. In the introduction, Mr. Gettemy discusses the progress in accounting reform, the certification of town notes and legislation of 1911 on municipal indebtedness.

The second annual report on municipal finances of Indiana includes statistics for 1909, 1910 and 1911, for counties, cities, townships and school cities and townships. But for the larger districts (counties and cities) the only data presented is as to indebtedness and total receipts and disbursements. The larger part of the volume shows statistics of receipts and disbursements for school and civil townships in some detail, based on the uniform system of accounting introduced in these

townships. The uniform accounting system has not been extended as yet to counties and towns. As a result the value of the Indiana report to the student of municipal government is much less than that of Massachusetts.

*

The Boston Finance Commission.¹—The fifth annual report of the Boston finance commission is devoted to a review of that city's government under the charter amendments which became effective in February, 1910. The charter amendments were drafted as one of the early undertakings of the first commission and sufficient time has since elapsed to enable a fair retrospection of results achieved.

The present report points out some of the abuses which are possible under the new method of filing petitions for elective officers, and points out the corrective measures which should be written into the law. It also discusses the provisions relating to the recall of the mayor. Throughout the report there is a marked spirit of criticism of the last mayor. Special attention is devoted to the matter of contract awards and the failure of the mayor to give proper consideration to scientific methods of making the annual budget. Attention is called to the fact that the number of persons on the city's payrolls has increased during the last four years from 12,645 to 13,820. An attempt is made to demonstrate how the tax rate might have been kept down. Credit is given for having checked the increase in the city's indebtedness.

Commenting on the consolidation of the street, water and engineering departments, the report says: "If there had been a genuine consolidation and if business methods had been strictly applied and superfluous and inefficient employees had been eliminated, at least \$1,000,000 a year could have been saved." The commission also claims credit in the report for a saving of from \$400,000 to \$500,000 by rendering expert assistance on the specifications for the new city hall annex.

¹Fifth Annual Report, January 21, 1914.

The total cost of the commission during the five-year period of its life is set forth approximately as \$134,342.

HERBERT R. SANDS.

*

Financial Statistics of Cities Having a Population of over 30,000.²—The latest report of the federal census bureau relating to financial statistics of cities is the tenth annual report of the series and it strikes us as being the best. Like most of the preceding ones it pertains only to cities having a population (in 1911) of over 30,000 but it is a veritable gold mine of information for all who seek data of this character. The bureau has wisely set forth in the introduction a full discussion of the difficulties encountered in gathering and compiling such data because only by emphasizing the existing difficulties and untoward conditions can cities be prevailed upon to correct them. Added value is given to the report by including in it the very comprehensive discussion of accounting terminology published in earlier reports, but now revised and brought up to date. In this respect the report may be considered an addition to existing text-books on such matters.

Aside from the wealth of statistical tables and graphic charts contained in the report some of the most impressive facts are the following:

1. 30.4 per cent of the entire population of continental United States in 1911 resided in the 193 cities having a population of over 30,000.

2. The statistics for only 146 of the 193 cities are comparable for the entire ten-year period, but the costs of these 146 cities during that period were exceeded by the net governmental costs of the national government (by which is meant costs exclusive of pensions) by only 3.5 per cent. Moreover, during the last two years of the period the costs of the 146 cities were the larger by 2 and 7 per cent respectively than those of the national government.

²A Special Report by the United States Census Bureau Relating to the Year 1911.

3. During the ten years from 1902 to 1911, the city of New York alone expended for outlay (capital expenditures) 9.1 per cent more than was expended by the national government for the Panama Canal, public buildings, forts and fortifications, and river and harbor improvements.

4. While the net indebtedness of the national government per capita decreased during the last ten years from \$12.24 to \$10.83, the net indebtedness per capita of the 146 cities, which are comparable, increased from \$44.19 to \$76.31, the increase of New York City being from \$76.45 to \$145.92.

A bulletin containing in abridged form the financial statistics of cities for 1912 has been issued by the census bureau. This follows the suggestion made in this REVIEW last year for a summary statement showing the principal data for each city on two pages. This abridged report appearing soon after the detailed report for 1911 makes the data available much sooner than before.

H. R. S.



German Cities. *Monographien deutscher Städte—Neukölln Magdeburg, Darmstadt.* Verlag der Zeitschrift für Kommunalwirtschaft und Koomunalpolitik. Oldenburg, i. Gr. 1912.

Public spirited municipalities in the United States will find stimulus in the example of the German cities as set forth in the present series of monographs. In fact there seem to be few interests of the community at large which the German local government is not willing to promote. A good example of the activity of German cities is to be found in Neukölln where a municipal legal bureau has been established for the assistance of those who are unable to pay for the services of counsel. So in Darmstadt, we find that a very active interest is taken by the municipality in the artistic development of the city, and in Magdeburg large works of urban expansion have been successfully undertaken.

It is probable that the early introduc-

tion of municipal ownership of public utilities has paved the way for this extension of public functions and the central administration in the majority of the German states has encouraged the cities by judicious legislation. The general body of laws known as the city expansion laws have enabled the cities to engage in land enterprises of considerable importance and in most cases to their material advantage.

One feature of city growth in Germany which is worth noting is the very appreciable increase in the burden of taxation. Thus Magdeburg shows an average annual increase of 10 per cent since the year 1908, a fact which naturally causes one to ask if after all these extensive improvements are not being made at the expense of the citizens' private welfare. Moreover, the fact that in none of the present monographs has the housing question been adequately discussed would seem to indicate that this is a side of German municipal growth which deserves particular attention, especially since it is a point upon which the expansionist is usually inclined to be silent.

JULIUS GOEBEL.

University of Illinois.



Housing and Town Planning.—*The American Academy of Political and Social Science*, special volume on "Housing and Town Planning," January, 1914.

This is a comprehensive and useful collection of papers arranged and edited by Carol Aronovici, general secretary of the suburban planning association of Philadelphia. The first two articles are introductory, one by Dr. Aronovici himself on "Housing and the housing problem," and the other, "A brief history of the housing movement in America," by the veteran housing reformer, Robert W. de Forest, the first tenement house commissioner of New York City. Following these are some twenty-five papers treating of new and old houses in their different aspects, and with town planning in its relation to housing. Be-

sides these there are nine articles on subjects of a general character.

This volume is especially interesting because it brings out clearly the sharp difference which exists between two schools of housing reformers now in the field. One of these emphasizes reform through legislation, and the great progress that has been made in New York City under the tenement house act of 1901 makes this reliance upon legislation seem reasonable. In the thirteen years since this law has been in operation 9,000 school sinks or privy vaults have been reduced to 375, over 270,000 dark rooms have been abolished or the lighting improved, and a thousand million dollars' worth of new tenements have been built, accommodating more than a million and a quarter of people, in which not a single life has been lost by fire. The other school of reformers holds that a broader social and economic policy which recognizes the relation between housing and transportation, revised methods of taxation, and organized effort to improve standards of living will accomplish much more than regulative legislation. Probably, however, as Dr. Delos F. Wilcox points out in his article on taxation of real estate values and its effect on housing, there is reason in both views. A change in the incidence of taxation would no doubt stimulate building, but without strict governmental regulation it is likely that little attention would be paid to the standard minima of good housing.

Three particularly valuable papers are "the old house as a social problem," by Miss Chadsey, chief sanitary inspector of the Cleveland, Ohio, health department, "the problem of the old city house," by John Ihlder, field secretary of the national housing association, and "some effects of housing regulation," by Commissioner John J. Murphy of the New York tenement house department. The old house is the most difficult problem which the housing reformer has to solve. It threatens health and morals, destroys the self-respect of tenants and drags them down into the mire of poverty. Miss Chadsey and Mr. Ihlder think it should be scrapped,

like an old piece of machinery which has outlived its usefulness. This is drastic, but public opinion is moving rapidly and the day is not far distant when such a disposition will be generally approved. "The old house, like the old sinner, should be dealt with less charitably than the new."

The section devoted to town planning contains much timely material. Frederick Law Olmstead's article on the "town planning movement in America" is a condensed yet sufficiently detailed account of the rise and growth of interest in town planning in this country. The laying-out of streets, the disposal of waste, suburban development, the financing of city plans, together with several other equally pertinent topics, all by well known names, receive adequate attention. One of the most valuable papers of all is by John Nolen on "a town planning library." Instead of giving a long and inclusive list of titles he has made a discriminating selection, grouped under appropriate heads, sufficiently limited to bring it within the reach of the ordinary town library yet quite large enough for the general reader.

Besides the articles already named the book contains: "the relation of land values and town planning," by Raymond Unwin; "the religious value of proper housing," by William B. Patterson; "can land be overloaded," by Benjamin C. Marsh; "congestion and rents," by Bernard J. Newman; "housing reform through legislation," by Lawrence Veiller; "wherein direct housing legislation fails," by Edward T. Hartman; "rural housing," by Elmer S. Forbes; "copartnership for housing in America," by Arthur Coleman Comey; "relation between transit and housing," by John P. Fox; "the interrelation of housing and city planning," by Andrew Wright Crawford; "the street layout," by B. Antrim Haldeman; "the sociology of a street layout," by Charles Mulford Robinson; "subterranean street planning," by George S. Webster; "a city plan for waste disposal," by George A. Soper; "financing a city plan," by Nelson P. Lewis.

An excellent index adds greatly to the usefulness of the volume.

ELMER S. FORBES.

Boston.

✱

An Atlanta Survey.—*A Survey of the Public Health Situation, Atlanta, Georgia.*—A Report to the Atlanta Chamber of Commerce Committee on Social Survey. By Franz Schneider, Jr., Sanitarium. New York: Russell Sage Foundation. Paper, 6 x 9 inches, pp. 22.

In small space and readable style Mr. Schneider reviews the municipal cleansing and the health-protective activities of Atlanta, points out their weak spots and recommends measures of reform and amplification. In his opinion the board of health of ten members should be abolished or at least replaced by a health council having only legislative and advisory functions. The powers of the health officer should be correspondingly increased. Such cleansing operations as the collection and disposal of garbage, ashes, night soil and street dirt and the flushing of sewers should be transferred to other city departments, as also plumbing inspection. Divisions of infant hygiene and tuberculosis should be established; the work for the control of communicable diseases generally should be enlarged, and negroes, now neglected, be brought within its scope; milk inspection and analysis should be increased; the reporting of venereal diseases should be made compulsory, and free laboratory diagnosis and free treatment of these diseases for the indigent offered; and the appropriations for strictly health-protective work be increased and the salary of the health officer raised.

✱

Philadelphia Municipal Charities.—In Philadelphia as a result of a widespread conviction that the development of the city's charitable institutions was being handled in a fragmentary fashion, a committee of one hundred citizens was formed, with Dr. Charles H. Frazier as chairman, to investigate the various phases of the complicated and extensive problem, and

to make recommendations to the city government for improving its work in municipal charities. The committee rendered a report sometime ago, in which it set forth that the difficulties in caring for the city's dependents were due to:

1. Confusion and lack of unity in the charitable work of the city because of the existence of the independent poor districts of Oxford, Lower Dublin, Germantown and Roxborough.

2. Lack of differentiation between the respective functions of the city, state and private charities.

3. No complete directory of the charities of the city.

4. Failure of the state to meet its responsibilities for the care of the insane, feeble-minded and certain other classes of dependents, thereby imposing an undue burden on the city.

5. Neglect of municipal, as well as state charities, because of the large amount of state funds which have been appropriated each year to certain local and private charities.

6. Lack of effective co-ordination among the private charitable societies and agencies, although a beginning has been made in this direction.

In its recommendations for betterment of conditions, the committee proposed as a program:

1. The establishment of a central application office for the bureau of charities at a place most convenient at the present time; and the organization, in connection with this central application office, of a bureau of investigation and social service, with a proper staff to investigate all applications, to secure support from relatives, to make use of private charitable agencies, and in other ways promote the welfare of the beneficiaries of the department.

2. The establishment in the department of health and charities of a separate bureau of hospitals, to have charge of all hospitals managed by the department.

3. A revised classification both of institutions and of beneficiaries in institutions of the department, so as to recognize in the city's charitable administration at

least the following classes of beneficiaries: aged and infirm (non-able-bodied); vagrants (able-bodied); inebriates; feeble-minded; blind; epileptic; insane (with classifications); tuberculous (incipient, intermediate, advanced); hospital cases (with sub-classifications of acute and chronic, medical and surgical, etc.); dependent children; and crippled children.

4. That the city withdraw as soon as possible from the care of such of the above classes of dependents as the state properly should provide for, namely insane, feeble-minded adults, epileptics, inebriates, and possibly dependent children.

5. That the city's ultimate plan for its charitable organization include the following: an application, investigation and admission office, with adequate staff for investigation and social service work; a modern general hospital at Blockley, including psychiatric wards and wards for acute alcoholic and advanced tuberculosis patients; a city infirmary with separate divisions for men and women, and cottages for aged couples; a joint arrangement between the departments of health and charities and public safety for a more effective and uniform system of commitment for vagrants and inebriates, with one or more farm colonies for these classes; a hospital

of at least 500 beds for advanced cases of tuberculosis in addition to such beds as may be provided in the general hospital; and such additional hospitals, institutions and agencies as experience shall show to be needed in order to provide in a modern and effective way for dependents who are a proper charge upon the city.

MURRAY GROSS.

✱

Report of the Royal Commission on Municipal Government. Victoria, B. C. 1913.

The British Columbia Royal commission, appointed in August, 1912, held meetings at seventeen places in British Columbia during the following four months, and submitted its report in December of the same year. The report is adverse to adopting the commission form of municipal government; and recommends a law authorizing the establishment of boards of control in municipalities of over 15,000, to take over executive duties, as in Montreal, Ottawa, Toronto, Winnipeg and other Canadian cities. There is also recommended a municipal department in the provincial government, with inspectors to examine the accounts of municipalities.

JUDICIAL DECISIONS

What Is a Nuisance?—The question of what constitutes a nuisance was before the Illinois supreme court in *City of Bushnell vs. C., B. & Q. R. R. Co.*¹ The city passed and attempted to enforce an ordinance declaring the maintenance or operation of any railroad sidings or switch tracks for switching, loading and general yardage purposes a nuisance, and imposing a penalty for the maintenance thereof. The railway company, prior to the adoption of the ordinance, had established a freight house and yards for the convenient handling of its own and the public business. The court found that the yards and switches as established

in the business district and as used did not in fact constitute a nuisance and that the city ordinance was, therefore, void and unenforceable.

Again in *People ex. rel. Friend vs. City of Chicago*,² the same court held an ordinance invalid which attempted to make it unlawful to locate or construct a retail store in any block used exclusively for residence purposes. The court could see nothing inherently dangerous to the health or safety of the public in the conduct of a retail store no matter where located, and based its decision on the ground that aesthetic considerations, which prompted the ordinance, are wholly

¹ 102 N. E. 785.

² 103 N. E. R. 609.

unrelated to the public health, morals, comfort or general welfare.

The Illinois court in these cases shows much less respect for the intelligence and good faith of the city's legislative body than is shown in some jurisdictions. It seemed greatly impressed with the fact that the alleged nuisance was established before the ordinance was passed.

The courts of California, in contrast, have repeatedly held that in the absence of any evidence of bad faith the definition by a city council of what constitutes a nuisance in its jurisdiction is entitled to great weight. That only in case of obvious abuse will its judgment be questioned.

A court which finds itself unable, to some extent, to keep pace with the progress of civilization and bases its reaction on a rigid view of constitutional provisions, is likely to be the cause of disrespect for that constitution as well as for the judiciary who so interpret it. Gentlemen who defy property rights in opposition to human rights even in such minor matters as aesthetics are gradually becoming rarer in this country and noticeably so as occupants of elective positions.¹

*

Ice and the Pedestrian.—The liability of a city to respond in damages for injuries caused by ice and snow accumulated on the streets from natural causes was repudiated by the Michigan supreme court in *Mayo vs. City of Baraga*.²

From the standpoint of the municipality this is, of course, a fortunate doctrine. It is conceived, however, that it must be held within somewhat narrow limits. If the city negligently allows the

accumulation to remain as a menace to pedestrians longer than necessary and particularly after it has notice of the danger it can hardly expect to be considered any less culpable than if it leaves an unguarded hole in a walk.

In *Varney vs. City of Covington*, the Kentucky court of appeals laid down the rule that the city will be liable for resulting injuries if it allows ice to accumulate in ridges or to form inequalities likely to trip pedestrians in any case where it has either actual or constructive notice of the obstruction.

*

Abolition of Office and Civil Service.

—The attempt to use civil service regulations as a means of establishing a vested interest in a job is common enough. Restrictions on dismissal too often result in keeping unfit in office. One of the evils civil service is intended to reform is the creation of useless jobs and the continuing of others, after they become so, to take care of friends of the appointing power. We see the same evil, so far as the city is concerned, in the spectacle of the employee objecting to the abolition of his position and consequent separation of himself from the pay roll, when the position becomes unnecessary for the public service.

In *Harker vs. Mayor, etc., of Bayonne*,³ the plaintiff, who was under the protection of a veteran act prohibiting discharge except for cause and after a hearing, was separated from the public service by the abolition of the office held by him.

The court found the abolition of the office to have been in good faith and for the betterment of the public service, and held that the object of the veteran act being to protect persons from removal without cause, it does not interfere with the power to abolish public offices for the public good.

*

The Duty of a Sewer.—The statutes of Maine provide that after a public drain has been constructed and a property holder has paid for connecting his prop-

¹ As Mr. Mahaffie states the provisions of the city ordinances (prohibiting the use of any switch tracks, or retail stores in any residence block), it seems to me the court would be fully justified in holding them invalid. In fact the ordinances were qualified, so that there is some basis for urging that they might be sustained; but the attitude of the Illinois Supreme Court on this matter agrees with that of most courts, and is not in conflict with the attitude of the California courts referred to in the note. Some of the opinions of the Illinois Supreme Court are deserving of criticism, but I think it weakens the case to use instances where the Court has substantial grounds for its ruling. J. A. F.

² 160 S. W. R. 173.

³ 89 A. R. 53.

erty with it, it shall be constantly so maintained by the town as to afford sufficient flow for all "drainage entitled to pass through it." That, in case the town fails to provide such flow, any person entitled to drainage through it may have an action for such damages as he sustained by reason thereof. One Dyer, a citizen of South Portland, who had paid for connection with the system, brought an action against that city on account of damage done his property by surface water overflowing it, caused by the town's negligence in failing to keep catch basins open. The supreme judicial court of Maine,¹ drew a distinction between carrying off surface water and "drainage," holding the latter to be the sewage which the property owner is entitled to drain through the sewer, but that the surface water brought onto his property by the town's negligence cannot be so regarded and that the town is not liable in damages on account of it.

In other words, the town is liable for damage caused by failure to carry away sewage brought onto his property by the owner, but is *not* liable where the town negligently brought the sewage onto the property. Which seems curious, at least.

✱

Municipality and Agent.—In dealings with a city the question as to what, if any, of its employees and officials can bind it by agreement or course of action is often important and perplexing. A sort of agency by estoppel is coming to be more and more recognized and cities are being considered and treated in their business transactions very much as private parties or corporations.

In *Hetherington-Berner Company vs. City of Spokane*,² the Washington supreme court held the fact that the secretary of the board of public works of the city had been the spokesman of that body in its dealings with a contractor, and had represented the city in all its dealings with the company in regard to the contract,

¹ 88 A. R. 398.

² 135 P. R. 484.

was evidence of his power to bind the city.

That the contractor was entitled to rely on the truth of the representations made by him as to when the city would start work on a foundation on which the contractor was to erect a superstructure.

The court further held that the city having allowed the secretary to conduct all negotiations with the contractor in regard to the subject-matter of the contract, it could not afterward repudiate his acts even on a showing that he had exceeded his authority. This reasoning could of course only apply in the absence of fraud or collusion between the agent and the contractor.

✱

Contribution by Receivers.—Judge Hook, of the United States circuit bench, was confronted with a somewhat peculiar situation when a request was made that he authorize a contribution by the receivers of the Metropolitan street railway company to help defray the expense of bringing a convention to Kansas City.

The authority of the receivers to contribute from the trust fund in their custody was questioned. The court drew a distinction between those cases in which an official elected by the members of a corporation, or even an officer elected by the people, is given a certain narrow discretion in the way of contributing of the funds in his care to charitable and benevolent purposes and that of a receiver administering a trust fund, and declared that the latter is to be held strictly accountable and has no such liberty. In this instance, however, in view of the fact that as a business proposition the railway company would profit largely by having the convention in the city and that the money could be considered as paid out on a business basis, the court somewhat hesitatingly authorized the contribution.

✱

Filing Claims For Damages.—By statutory provision in Washington all claims for damages against cities of the

second, third or fourth class must be presented and filed within thirty days after the accrual of the claim.

In *Ransom vs. City of South Bend*,¹ the supreme court of that state had to pass on a case in which plaintiff had been injured by an obstruction in the streets, in such a way that she was confined to her bed for several months, and incapacitated from filing her claim for seventy-three days after the injury complained of. The court held that such incapacity to file the claim did not excuse and that the provision prescribing the time for filing is to be strictly construed.



Street Signs.—The city of Wallace, Idaho, permitted the northern express company to suspend a sign so low over the sidewalk that the plaintiff in *Baillie vs. City of Wallace*,² was injured in walking under it. The court found the city liable for the injury and based the liability on its duty to keep the streets under its jurisdiction in a reasonably safe condition for use by travelers in the usual mode of travel. It held that the rule as to liability extends not only to the surface of the street or walk but also to structures over them.

The court further found that while the city is liable in the first instance for permitting private parties negligently to place signs over the walk or street, the person or corporation who places such

obstructions is liable to the city for any damages it has to pay by reason of such unlawful act. Which, of course, affords some comfort to the negligent municipality.



Contractor and City Officials.—In *O'Neill vs. City of Auburn*,³ the plaintiff sought to prevent payment by a town on a contract on the ground that cement used in the work was purchased from corporations in which the mayor and a councilman were interested. This, under a statutory provision providing that no officer of a town shall be interested directly or indirectly in doing any work or furnishing any supplies for the town, and any claim for compensation for work done or supplies furnished in which he is interested, shall be void.

The court found that at the time the contract was entered into no interest in fact existed. That the purchase from the corporations in question was made later and was not in contemplation at the date of the contract. And that the further circumstance of the corporations' being paid cash and not taking bonds or warrants for supplies removed any possible element of interest in the contract. That the corporations in which the officials held stock could not be deemed barred from ordinary commercial dealings with the contractor, entered into entirely after the letting of the contract.

CHARLES D. MAHAFFIE.⁴

BOOK REVIEWS

UNPOPULAR GOVERNMENT IN THE UNITED STATES. By Albert M. Kales. Chicago: University of Chicago Press.

This little volume is a very well connected argument for the short ballot principle and a large part of it is a very careful and logical demonstration of arguments which have already been used more or less fully by the Short Ballot Organization. As a connected argument moving sure-

footedly from premises to conclusions, it is an excellent piece of close reasoning. In fact, it might be described as the application of a conservative legal mind to the whole short ballot doctrine.

Evidence is drawn principally from the writer's own home in Illinois, which is in ten overlapping districts and where the author votes a ballot of thirty-four offices.

A useful contribution to the literature

¹ 136 P. R. 365.

² 135 P. R. 850.

³ 135 P. R. 1000.

⁴ Of the Portland, Oregon, Bar.

on the subject is the new word "politocrat" which Mr. Kales has coined, and of which he makes such free use as to justify its coinage on the ground of sheer convenience. Although he abstains from defining "politocrats" or "politocracy," it is plain that the politocrat is a member of that ruling class in this country which we loosely describe as "the politicians."

Politocracy replaces the phrase "government by politicians," or "machine rule."

The study of politocracy leads Mr. Kales to a close analysis of government as he finds it in Illinois, and to the various efforts such as direct primaries, the Massachusetts ballot, the recall, initiative and referendum and independent political organizations which have been devised to destroy politocracy. He proves very clearly and simply the insufficiency of such devices and ends with an analysis of commission government and the short ballot as the real answer.

In the concluding chapters Mr. Kales undertakes constructive work, and this section of the book, like all constructive proposals in political science, is open to attack from many sides. His constructive plans for state government are not altogether consistent with his own statement of the sound underlying theories, and his proposal for a second chamber in the state legislature to represent property, is reactionary. The reader gets the impression that the author was a little afraid to accept his own logic and, after proving his thesis, was afraid to act on it. He accepts the windy district idea for example, and yet, in his constructive proposal he provides for the governor and a chief judge, who is to appoint other judges, elected at large. In general, the author relies on careful logic rather than on collections of evidence and the book lacks the picturesque illustration which might help to make it popular reading. Serious minded students of political science, nevertheless, will find it in some ways the most satisfactory contribution that has yet been made to the literature of the short ballot movement.

RICHARD S. CHILDS.

New York.

RELIGION IN SOCIAL ACTION. By Graham Taylor, D. D. New York: Dodd, Mead and Company. \$1.25.

The early chapters of Professor Taylor's new book deal with the religious and theological bases of social effort. For the readers of the NATIONAL MUNICIPAL REVIEW chief interest centers in the chapters dealing with the relation of the Church to the community and to industry.

Professor Taylor sees in the family the norm of social groups and groupings. To this norm the Church and the community, if they are to be true to themselves, must conform. In order, however, that they may both develop properly, as they should, on the basis of this family or home ideal, co-operation between the Church and the community is indispensable.

The character of a town will be judged not only by the personal virtues of its people, but by their standards of its public life and social conditions for which they are responsible. The efficiency of the Church will be tested by the extent to which social conditions and town government make it easier to be good and harder to be bad. The claim of being a community of Christians will not be conceded to those who do not constitute a Christian community.

In order that this co-operation between the Church and the community may be effective, attention must be given to the three-fold function of the Church in relation to the community: "to have and to give a formative ideal of what the community is to be and do; to initiate, inspire, and support movements and agencies for the realization of civic ideals; and to generate and apply the power of a self-sacrificing public spirit, which is the only force adequate to promote social progress."

Through the long course of Christian history, the city has been the ideal of which prophets and saints have dreamed. This ideal has been at times in the way of realization. The various theocratic experiments of Calvin, Cromwell, Knox, the Pilgrim Fathers, and others have been adumbrations of what is coming to be seen in this latter day as the proper relation between the city and the Church.

Christianity is coming down out of the clouds; the city is rising out of the slough. In their meeting will be found the possibility of a life which will conduce not only to the individual, but to the social, well-being—physical, mental and spiritual.

Not only, however, must the Church hold up before the community the vision of what the city ought to be; it must also lend its strength in aiding the realization of the vision. This does not mean that the churches are to duplicate the work of local social agencies—official and volunteer—nor even permanently to do any work needed to be done for the community which is not now being done. The function of the Church in the social field should be primarily that of the pioneer. The Church should point the way to the city, and then, as soon as the municipal government is ready to assume the new burden, should pass on to some other phase of social effort. The "institutional" church may, indeed, be a real means of civic service. The function of the Church in general, however, should be "more formative than reformatory"; it should be preventive and constructive rather than merely curative.

But the final and most important function of the Church with reference to the community is to lay "the duty and privilege of self-sacrifice in public service upon every conscience and heart." To this end the various organized Christian bodies must give over their present petty rivalry and come together on a common platform of co-operative service. The work in this field of the New York Federation of Churches, the Christian League of Connecticut, and the interdenominational committee in the state of Maine, which is now attempting "to act as a final court in preserving comity and promoting co-operation," is particularly commended. The churches, in Dr. Huntington's phrase, which Professor Taylor quotes, are not to be "models under glass cases," but are to be powerful engines for generating the spirit necessary to accomplish any deep and far-reaching social reform. In other words,

The final test of the capacity and right of the churches to fulfil their high function in the community is not the attitude of the people toward the Church, but the willingness and capacity of the Church to serve the real interest of all the people. The country, town or city church which thus serves its community the most will serve itself the best, and, within the bounds of its legitimate function, will be a source and center from which will proceed ideal, initiative, and power to the people.

In his treatment of industry the author stresses the mediatorial function of the Church, whose duty it must be to bear impartial testimony rather than to side with either of the contending parties. In view of present conditions which more and more enforce the fundamental need of justice in our economic relations, this section of Professor Taylor's book may seem somewhat too conservative. In the effort to show impartiality as between employer and employee, the Church may fail to show due sympathy with the struggle of the wage-earning classes for human rights. It is this industrial crisis, even more than our modern municipal problem, which forms the challenge to the Church of our day.

The book is valuable as coming from one who is not only a recognized social leader, but who has had actual experience in the routine work of the Christian minister. Miss Addams' "Foreword" is a splendid interpretative summary of the whole movement of which Professor Taylor is an outstanding representative.

F. M. CROUCH.¹

New York.

*

SOCIAL FORCES, A TOPICAL OUTLINE WITH BIBLIOGRAPHY, Madison, Wisconsin. Wisconsin Woman's Suffrage Association. Postage, Wisconsin: Mrs. A. S. Quackenbush. 15 cents.

At the last annual meeting of the Wisconsin Woman's Suffrage Association, a resolution was passed creating an education committee and designating its work

¹ Secretary, Joint Commission on Social Service of the Episcopal Church.

as not so much for propaganda toward securing the ballot as for education in the duties and responsibilities of citizenship.

The first effort of that committee has been the publication of a booklet intended as a preparation for citizenship and a guide for regular study in civics, for suffrage organizations, civic leagues and civics committees of women's clubs. Its proposal and outline for study are divided into three main sections:

First. A list of one-day programs on civic and social topics, accompanying which is an earnest recommendation that all clubs devote an increasingly large proportion of their meetings to topics of a civic nature. "Ancient pottery and the art of Greece," the committee says, "will always be available for study, but the progress of this decade can be studied contemporaneously, and the solution of its problems furthered only during this decade."

Second. An outline of some seventy or eighty topics, with numerous sub-topics, arranged under ten general divisions, with bibliography of books, magazine articles and other material under each topic. It is designed that each topic occupy at least one club session and several of them should occupy from two to six sessions each.

Third. The introduction into the public schools of instruction and training in citizenship and morals, in which the recommendation is made that the women's clubs include a paper upon the subject in their programs for civics day and that school boards and school officials be urged to encourage the introduction of such studies in their schools.

The bibliography accompanying each one of the subjects considered in the booklet is complete and most helpful, with reference not only to books and publications but to magazine articles.

Because of the care taken in the preparation of the bibliographies, this booklet is one that will prove helpful to students of civics and active civic workers in large cities or small communities.

In connection with the bibliography are

lists of the existing national organizations, to which application may be made for assistance in the preparation of civic programs and for definite directions in undertaking various activities.

RICHARD B. WATROUS.

Washington, D. C.

*

A NEW CITIZENSHIP. By Wilson L. Gill. American Patriotic League; Mt. Airy, Philadelphia. \$1; postage 10 cents.

This book is intended to support the thesis that citizenship is an art and, as such, can be successfully taught only by practice. The author believes that citizenship is more significant than civics; that civics without citizenship is worse than useless because it fixes upon the individual the vicious habit of indulging in thought which is not put into action.

The book is the outcome of several years experience and experiment with the "school city" or "school republic" as an instrument of moral training through self government. This experience has convinced the author that there is an intimate and inevitable connection between boss government in the school and boss government outside the school; that efficient citizens of a democracy can be trained only by catching them young and giving them a real introduction to the spirit of democracy; that it is easier and more profitable to make efficient citizens from the beginning than later on to make over citizens who have gone wrong, partly at least because they have never looked genuine democracy squarely in the face.

The author very properly emphasizes the fact that no school republic or other "system" for training children in social standards can be expected to "work itself"; that intelligent, social-minded leadership is just as essential here as in any other field of education. On the other hand he apparently does not fully appreciate the fact that democracy, like Christianity, has never yet really been tried; that teachers, like the rest of humanity, are entangled in the meshes of convention and conservatism; and that, even where op-

portunity is most free, it is hard to find a teacher who will recognize and make use of normal social situations as the only possible means of cultivating social intelligence and power among children. The author, in fact, explicitly states (p. 58) that failure to put into practical effect the principles of the school republic is simply evidence that a teacher has not used "the small amount of intelligence and interest necessary to carry the message to his pupils, day by day."

The underrating of the difficulty of bringing the rank and file of teachers up to the level of democracy in education probably explains the inadequate attention to the details of management as distinguished from the underlying theory of moral training through practice. Many leaders of children who will accept willingly the excellent point of view presented in the book will regret that there are not more specific suggestions as to how children may participate actively and helpfully in the normal community life of the school.

The book will be helpful to teachers who are trying to find a way out of school formalism into a freer, more spontaneous and democratic atmosphere. The central idea of the book must be expanded and applied to the entire circle of school interests and activities, however, if the school is to become a genuinely social institution in which social intelligence, social appreciation, and social power shall determine, at every step, the aims, motives, organization, choice of materials, and methods of instruction.

JESSE D. BURKS.¹

✱

PREPARING FOR CITIZENSHIP. By William Backus Guiteau, Ph.D. New York: Houghton Mifflin Company.

This little volume is designed as a textbook in civics for the elementary schools. The author states that an attempt has been made to emphasize governmental activities rather than structural forms,

¹Director, Bureau of Municipal Research of Philadelphia.

and "the ethical side of civics" rather than the "mere teaching of facts." He thus follows the plan most approved by competent teachers of the subject. In the table of contents three main divisions of the text are given, viz., government and the citizen, state and local government and national government. These captions are misleading. The book really divides itself into two parts. The first part, covering roughly about half the volume, relates to functions of government, such as the protection of the public, education, charities, etc. Here the treatment is topical with no serious attempt to differentiate between the working of various units of government. The second part is largely a description of governmental machinery beginning with the local unit and continuing to the state and national governments in order. With this arrangement the attention of the pupil is first directed to those aspects of government most intimately connected with his daily life, after which he is gradually taught to associate these activities with the organs to which they belong.

The style of the book is well adapted to its purpose. There are over fifty splendid illustrations and maps. Appended to each chapter is a set of suggestive questions, some of which perhaps involve matters rather complex for the young mind. The appendix contains a copy of the federal constitution, some election and population statistics and a list of references. In the hands of a competent teacher the book should prove to be a valuable text.

C. O. GARDNER.

University of Cincinnati.

✱

HEALTH AND THE SCHOOL. A ROUND TABLE. By Frances Williston Burks and Jesse D. Burks. New York: D. Appleton & Company. \$1.50.

"This book sets forth the health problems which must be met in every school and family, and furnishes a working program for parents, teachers, school boards and boards of health." The book is so

described by the authors themselves in the preface. Dr. Frank M. McMurry of Teachers College, New York City, has written an introduction in which he says: "In consequence of the striking advances in this field, there is pressing need of literature that summarizes both the theory and practice at present accepted, and in a style making the facts thoroughly clear and interesting to the ordinary reader."

"The present volume helps to meet this need in a most effective way. It accomplishes three things: From widely scattered sources it brings together the theoretical facts pertaining to health, that seem well established and that are most valuable; it suggests how these facts have been applied, and, to some extent, shows the extent of that application up to the present time; and it presents all this matter in a surprisingly simple and attractive manner."

Part I deals with "the breakdown of the school in its health program"; Part II, with "the opportunity of the school for promoting health"; Part III gives "a program of child hygiene"; and Part IV offers a forecast on the subject of "socialized health."

The method of presenting the materials and arguments of the book is novel and effective, consisting of what purports to be a series of round table discussions in a small club. The persons made to talk in the discussion are the superintendent of schools, "a model of progressive efficiency"; a member of the school board, "unenlightened, but eager to learn"; "a self-made business man, satisfied with his work and with society"; the wife of said business man, "an awakening woman, whose husband's money has given her leisure to look around"; "a social worker," who commands "a following wherever she moves"; "a physician new in the town," whose "new-fangled methods and notable successes" are viewed with jealous alarm by older practitioners.

This method of dealing with the subject makes it possible to raise every conceivable objection and to reply directly and

convincingly. The book is dedicated to "America's Mothers and Teachers," and ought to serve a most useful purpose with them both. It is illustrated with charts and photographs, contains an extensive summary of suggested reading on all topics discussed, and is carefully indexed.

ARTHUR W. DUNN.

New York City.



SCHOOL JANITORS, MOTHERS AND HEALTH.

By Helen C. Putnam, M. D. Easton, Pennsylvania: American Academy of Medicine Press. Cloth, 5 x 7 inches, pp. 201. \$1.00.

The month-by-month letters which fill the greater part of this book were first published in 1909-12 in *Child-Welfare Magazine*. They deal with prevention of school fatigue, mother's clubs and clean schoolhouses, and school janitors and health. Aside from the author's effective style and unusual grouping of scientific facts relating to child hygiene in the school and home, the chief value of the book lies in its appeal to mothers and women's clubs to take a strong hand in securing better school sanitation and in its plea for trained instead of political school janitors. In their original form the letters must have done much good. This reprinting will prolong their usefulness, but while being put into book form the material might well have been recast and considerably condensed.



OUR NATION'S HEALTH ENDANGERED BY POISONOUS INFECTION. By Julius Rosenstirn. San Francisco, California: Town Talk Press. 1913.

This is a frank and courageous description of the work done by the municipal clinic of San Francisco and a plea for it as means for the protection of the nation's health now, according to the author, endangered by poisonous infection through the social malady. Dr. Rosenstirn who is chief of staff and the attending surgeon at Mt. Zion Hospital, has also been chairman of the advisory com-

mittee on the municipal clinic which he believes to be of great value in protecting the health of the community. He describes the San Francisco clinic as a pioneer in its aim and system and he believes that it has been a truly successful effort toward the solution of the ever present problem of the social malady, prostitution, and toward minimizing its resulting injuries. Seldom does a physician of standing speak with the frankness of Dr. Rosenstirn and his brochure has this merit and that of thoroughness.



DER STADTEBAU—NACH DER ERGEBNISSEN DER ALLGEMEINEN STADTEBAU AUSSTELLUNG. Volume II. By Dr. Werner Hegemann. Berlin: Ernest Wasmuth, A. G. 1913. Price 18 M.

This is the second volume of a monumental work on city planning which deals not merely with principles and theories, but discusses the existing conditions and problems of the largest cities of Europe and America. All of the three volumes which, when completed, will constitute one consecutive unit, are based upon the material that constituted the Berlin and Dusseldorf city planning exhibits.

The whole of Dr. Hegemann's work is intended both as an exposition of the history of city planning and as an interpretation of the most recent developments in community building. The city planning exhibits, which were organized under the supervision of the author, and which represented a vast amount of important material gathered from all parts of the world, is given permanency through this work. The main value of the book, however, is to be found in the impartial and critical interpretation of the various plans and their social, economic and esthetic significance. City planning exhibits are generally prepared for the purpose of educating public opinion and rendering possible the comparison of essentials. The subjects dealt with, however, are so complicated, so difficult for the ordinary public to understand and so subject to differences of opinion, that no exhibit

renders full service to the community or to the world at large unless its various departments and individual charts and maps are weighed in the balance of expert knowledge and with a proper understanding of the local conditions which have called forth their creation. Dr. Hegemann has succeeded, in the volumes already published, in meeting this need.

Transit and means of intercommunication, community expansion, open spaces and the general plans contemplated or carried out in the larger cities are discussed clearly, concisely and with a wealth of statistical and historical information, combined with a knowledge of the factors that have determined certain developments. The colored maps and charts, as well as the half tone reproductions of photographs, make the volume almost indispensable as a reference book for the city planner, while the book-making art that is represented by this publication, is far in advance of anything that has ever been done either in this country or abroad, along this line.

Whether we agree or not with the various points of view that the author presents, it must be conceded that he has mastered his subject and that he has placed before us documentary evidence that has never been collected and organized before, and which serves to clear up many important points regarding the history and the application of the science of community building and the art of city planning.

CAROL ARONOVICI.

Philadelphia, Pa.



MUNICIPAL YEAR BOOK OF THE CITY OF NEW YORK. 1913.

This brief and handy guide to the government and administration of New York was prepared under Mayor Gaynor, by his secretary, Robert Adamson, now fire commissioner. It is intended as a manual of information for citizens and not as an encyclopædia of law and statistics for official persons. The volume describes the organization of the legisla-

tive branch of the government, gives an outline of the organization of the several divisions of the city administration and the functions of each, and exhibits in a short form the leading elements in the collection and disbursement of municipal revenues. It is written in a simple and direct style, devoid of technicalities and adornments. In the method of presentation, the experienced hand of the journalist-author is everywhere apparent, and the reader accustomed to the arid and unin-

forming pages of official documents will be grateful for the change. Every city in the country should issue such a book, and teachers of civics in the public schools should thoroughly drill the pupils in the elements of their own municipal government. No formal civics published by private agencies can take the place of a carefully prepared and skillfully arranged public document such as Mr. Adamson has given us.

CHARLES A. BEARD.

BOOKS RECEIVED

AMERICAN YEAR BOOK. 1913. Edited by Francis G. Wickware, B.A., B.Sc. New York: D. Appleton & Co. 1914.

ANNALS OF THE AMERICAN ACADEMY OF POLITICAL AND SOCIAL SCIENCE, JANUARY, 1914. Housing and Town Planning. Philadelphia: American Academy of Political and Social Science.

THE CITY AND THE WORLD AND OTHER STORIES. By Francis Clement Kelley. Chicago: The Catholic Church Extension Society. \$1.50.

THE GARDEN CITY. A Study in the Development of a Modern Town. By C. B. Purdom. New York: E. P. Dutton & Company. \$3.50.

THE HISTORY OF THE GRAIN TRADE IN FRANCE, 1400-1710. By Abbott Payson Usher, Ph.D. Harvard Economic Studies. Cambridge: Harvard University Press. \$2.00.

THE IMPROVEMENT OF TOWNS AND CITIES. By Charles Mulford Robinson. New York: G. P. Putnam's Sons. \$1.25. Fourth Edition.

JURISDICTION IN AMERICAN BUILDING-TRADES UNIONS. By Nathaniel Rugles Whitney, Ph.D. Baltimore: The Johns Hopkins Press. \$1.00.

MINUTES OF PROCEEDINGS OF THE ANNUAL SESSION OF THE MUNICIPAL ASSOCIATION OF VICTORIA, OCTOBER 22 AND 23, 1913. Together with the Decisions of the Law Courts and Legal Opinions. Published by the Association, Melbourne, Australia.

PROCEEDINGS OF THE FIRST ANNUAL MEETING OF THE CANADIAN POLITICAL SCIENCE ASSOCIATION. September 4-6, 1913.

PROCEEDINGS OF THE NATIONAL CONFERENCE OF CHARITIES AND CORRECTION, SEATTLE, WASH., JULY 5-12, 1913. National Conference of Charities and Correction, 315 Plymouth Court, Chicago, Ill.

PROSTITUTION IN EUROPE. By Abraham Flexner. New York: The Century Co. 1914.

REPORT OF THE LONDON COUNTY COUNCIL TO MARCH 31, 1913. Prepared by the Clerk of the Council. London: P. S. King & Son. 1 shilling.

VILLAGE IMPROVEMENT. By Parris Thaxter Farwell. New York: Sturgis & Walton Co. \$1.00.

DEPARTMENT OF REPORTS AND DOCUMENTS

BIBLIOGRAPHICAL¹

MISS ADELAIDE R. HASSE, *Chief of the Division of Documents,*
New York Public Library

Associate Editor in Charge

PART ONE

SPECIAL BIBLIOGRAPHIES

Bibliographies Relating to Municipal Government²

By JOSEPH WRIGHT

Librarian of the Bureau for Research in Municipal Government, Harvard University

General

AMERICAN CITY BUREAU. Selected list of municipal and civic books. New York, 1913. 56 pp.

The list is brought down to date in each issue of the American City.

BEARD, C. A. American city government. New York, 1912. 420 pp.

Bibliography, pp. 409-413.

BROOKINGS, W. D., and RINGWALT, R. C., editors. Briefs for debate. New York, 1911. 213 pp.

Ch. iv, Woman suffrage; ch. v, A property qualification for municipal suffrage; ch. x, Party alle-

giance in municipal elections; ch. xvii, Civil service reform; ch. xviii, The English system of preventing election frauds; ch. xix, The executive power of the mayor in cities; ch. xlv, Municipal aid for the unemployed; ch. xlv, The housing of the poor; ch. l, Municipal ownership of natural monopolies.

BROWN, C. H. List of titles on municipal government, with special reference to city charter and local conditions in Chicago. City Club of Chicago, publication no. 3. Chicago, 1906. 51 pp.

CAMBRIDGE, MASS. Public Library. A reading list on municipal government. In Bulletin, October, 1911. 8 pp.

CHICAGO, ILL. Public Library. Check

¹ By arrangement with the Chicago School of Civics and Philanthropy and the St. Louis Municipal Reference Branch of the Public Library, the libraries of those cities will hereafter coöperate in the compilation of the bibliography printed in the National Municipal Review. The task of assembling the Chicago material has been undertaken by Miss Renée B. Stern of the Chicago School of Civics and Philanthropy. Mr. A. L. Bostwick of the St. Louis Municipal Reference Branch will assemble the material for St. Louis. The symbols attached to titles in the bibliography indicate the libraries which have reported the receipt of the title.

Explanation of symbols

Cc, Chicago, City Club Library

Cj, Chicago, John Crerar Library

Cm, Chicago, Municipal Library

Cp, Chicago, Chicago Public Library

Cs, Chicago, Chicago School of Civics and Philanthropy

Np, New York City, New York Public Library

Sp, St. Louis, St. Louis Public Library

In this connection it may be well to state that it is not the intention to include titles of annual reports in the bibliography, except in special instances. An annual report issued for the first time will always be included; as well as one issued in a changed form. An annual report containing unusual features will also be noted.

² This Check List is in all probability far from complete. It has been compiled as the first step in the direction of placing at the disposal of libraries, students and readers, a full list of bibliographies on municipal government and allied subjects. In putting it together, two things have been kept in mind: first, to include (save for very special reasons) nothing that is more than ten years old; and, second, to include only those lists which are apt to be already accessible in larger libraries. An exception has been made in the case of typewritten lists prepared by the Library of Congress, which are not in circulation, but copies of which can usually be obtained on request. As the Harvard Bureau for Research in Municipal Government expects to publish, during the course of the present year, a comprehensive *Bibliography of Municipal Government*, any suggestions for additions to this preliminary Check List will be received with gratitude.

list of books and pamphlets on municipal government to be found in the Free Public Libraries of Chicago. Chicago, 1911. 44 pp.

ENGINEERING INDEX. Bibliography of municipal government. Compiled from the Engineering Index.

Published monthly in the Engineering Magazine since 1906.

HART, A. B. Manual of American history, diplomacy and government. Cambridge, 1908. 554 pp.

List of books on municipal government, pp. 184-188.

HARVARD UNIVERSITY. Department of Social Ethics. A guide to reading in social ethics and allied subjects. List of books and articles selected and described for the use of general readers by teachers in Harvard University. With a preface by Francis G. Peabody. Cambridge, 1910. 265 pp.

Social institutions: ch. ii, The science of government; ch. iii, Taxation.

Social service: ch. iii, Poor relief; ch. v, Housing and town planning; ch. ix, The liquor problem; ch. x, Public recreations.

The ethics of modern industry: ch. iii, Unemployment and vagrancy; ch. iv, Municipal ownership and control of public utilities.

HOWARD, G. E. Present political questions. An analytical reference syllabus. Lincoln: University of Nebraska, 1913. 184 pp.

Municipal Questions, pp. 170-184.

KANSAS CITY, MO. Public Library. Bibliography of municipal betterment. (In Quarterly, viii, no. 2, pp. 19-76, April, 1908.)

MUNICIPAL JOURNAL. Municipal index, in which are listed and classified all articles treating of municipal topics appearing in the leading periodicals. New York, 1907.

The index is published monthly. It has been issued since 1907.

MUNRO, W. B. The government of American cities. New York, 1912. 401 pp.

References at the end of each chapter.

NATIONAL MUNICIPAL REVIEW. Vol. i, no. 1, January, 1912. Philadelphia.

Each issue of the Review contains a list of current references on subjects dealing with municipal government. Edited by Miss Adelaide R. Hasse, chief of the Division of Documents, New York Public Library.

NATIONAL REFORM ASSOCIATION. A list of works treating of the origin, nature, sphere and end of civil government. Pittsburgh, 1912.

NEW HAVEN, CONN. Free Public Library. A selected list of references on municipal affairs. New Haven, 1910. 15 pp.

PEARSON, P. M., and NICHOLS, E. R., editors. Intercollegiate debates. 2 vols. New York, 1909 and 1912. 507-833 pp.

Initiative and referendum, i, pp. 89-90, ii, pp. 313-315; Educational qualification for suffrage, i, p. 258; Commission system of municipal government, i, pp. 476-477, ii, pp. 400-401; Nomination by direct primary, ii, pp. 438-441.

REYNOLDS, J. B., editor. A civic bibliography for Greater New York. Russell Sage Foundation. New York, 1911. 296 pp.

RINGWALT, R. C. Briefs on public questions, with selected lists of references. New York, 1911. 229 pp.

Ch. ii, Woman suffrage; ch. vii, Direct legislation; ch. viii, Proportional representation; ch. xxi, Municipal transportation.

SALEM, MASS. Public Library. A short list of references on municipal government. In Bulletin, viii, pp. 153-156, January, 1911.

SHURTER, DU B., and TAYLOR, C. C. Both sides of one hundred public questions, with affirmative and negative references. New York, 1912. 117 pp.

Many of the questions are connected with municipal government and administration.

SOMERVILLE, MASS. Public Library. Special reading list on civic affairs. (In Bulletin, xiv, pp. 22-27, February, 1911.)

SPECIAL LIBRARIES. A monthly periodical in which appear lists on municipal affairs and allied subjects. Published by the Special Libraries Association, Indianapolis, Ind., since January, 1910.

SPRINGFIELD, MASS. City Library. Special list of references on municipal improvement. In *Bulletin*, xxvi, no. 11-12, pp. 399-406, December, 1906.

SYRACUSE, N. Y. Public Library. List of books on municipal affairs and civic improvement in the Syracuse Public Library. Syracuse, 1911. 64 pp.

WICKETT, S. M. Some publications referring to Canadian municipal government. (In *University of Toronto Studies in History and Economics*, ii, no. 1, pp. 61-63. Toronto, 1902.)

WICKETT, S. M. Bibliography of Canadian municipal government. (In *ibid.*, ii, no. 2, pp. 63-70; ii, no. 3, p. 63. Toronto, 1903.)

WISCONSIN FREE LIBRARY COMMISSION. Civic improvement and development. In *Bulletin*, vii, no. 3, pp. 57-96. Madison, 1911.

Bibliography, pp. 86-91.

WILLIAMSPORT, PA. The James V. Brown Library. A selected list of books on commission government, municipal ownership, taxation, municipal administration and allied subjects. Williamsport, July, 1913. 7 pp.

Abattoirs

See also Markets.

UNITED STATES. Library of Congress. Division of Bibliography. Select list of references on abattoirs, markets, marketing, and distribution of food products. Washington, 1913.

A typewritten list of nine pages.

UNITED STATES. Surgeon-General's Office. Library. Index catalogue of the library of the surgeon-general's office. United States Army. Author and subjects. 2d series. Washington, 1880-1895.

Abattoirs, i, pp. 2-4.

Accounting, Municipal

See Finance.

Art and Architecture, Municipal

See also City Planning.

AMERICAN INSTITUTE OF ARCHITECTS. Quarterly Bulletin containing an index of literature from the publications of architectural societies and periodicals on architecture and allied subjects. Vol. i, Washington, 1900.

KANSAS CITY, Mo. Public Library. Municipal betterment bibliography. (In *Quarterly*, viii, no. 2, pp. 19-76, April, 1908.)

Municipal art, pp. 43-45.

NEWARK, N. J. Free Public Library. Municipal art. A few of the best books and magazine articles on the subject. Newark, 1907.

Assessments, Special

See also Excess Condemnation, Finance, Taxation.

HARVARD UNIVERSITY. Bureau for Research in Municipal Government. A list of references on assessments for street betterments. Cambridge, 1912.

A typewritten list of four pages.

ROSEWATER, V. Special assessments: a study in municipal finance. New York, 1898. 156 pp.

Bibliography, pp. 152-153.

UNITED STATES. Library of Congress. Division of Bibliography. List of references on municipal architecture. Washington, 1912.

A typewritten list of five pages.

Baths, Lavatories, Public Comfort Stations

GERHARD, W. P. A bibliography of baths and bathing. In *American Architect*, lxxxvii, pp. 14-15, January 24, 1905.

NEW YORK CITY. Mayor's Committee on Public Baths and Public Comfort Stations. Report on baths and public comfort stations. New York, 1897. 195 pp.

Bibliography, pp. 181-195.

RUSSELL SAGE FOUNDATION. Recreation bibliography. New York, 1912. 37 pp.

Baths, pp. 32-35.

Betterments

See Assessments, Special.

Budgets, Municipal

See Finance.

Building Laws

See also Architecture, Fire, Housing, Public Health and Hygiene.

BROOKS, R. C. A bibliography of municipal problems and city conditions. New York, 1901. 346 pp.

Building laws, pp. 35-36.

NEW YORK CITY. Public Library. Division of Economics and Sociology. A selected list of references on restriction of the height of buildings. New York, 1913.

A typewritten list.

Charities

BLISS, W. D. P., editor. New encyclopedia of social reform. New York, 1908. 1321 pp.

References on charity, p. 159.

HARVARD UNIVERSITY. Department of Social Ethics. A guide to reading in social ethics and allied subjects. Cambridge, 1910. 265 pp.

Poor relief and social settlements, pp. 68-74, 75-80.

HENDERSON, C. R. Modern methods of charity. New York, 1904. 715 pp.

Bibliography, pp. 689-702.

KANSAS CITY, Mo. Public Library. Bibliography of municipal betterment. In *Quarterly*, viii, no. 2, pp. 19-76, April, 1908.

Charities, pp. 21-29.

MEYER, H. H. B. Select list of references on charities and correction. (In *Special Libraries*, ii, no. 4, pp. 37-40, April, 1911.)

WARNER, A. G. American charities; a study in philanthropy and economics. New York, 1908. 510 pp.

Bibliography, pp. 467-493.

Charters and Charter Reform

BATES, FRANK G. Municipal Ordinances and Documents. (In *Special Libraries*, v, no. 1, pp. 12-21, January, 1914.)

HATTON, A. R. A digest of city charters. Chicago, 1906. 351 pp.

References to charters and laws, *passim*.

KANSAS CITY, Mo. Public Library. Municipal betterment bibliography. (In *Quarterly*, viii, no. 2, pp. 19-76, April, 1908.)

Municipal charters, pp. 45-46.

NEW YORK CITY. Public Library. List of city charters, ordinances and collected documents in the New York Public Library. New York, 1913.

A very full list covering 383 pages.

SCHAFFNER, MARGARET A. Municipal home rule charters. Wisconsin Library Commission. Comparative Legislation Bulletin no. 18. Madison, 1908. 38 pp.

References, pp. 3-4.

Child Welfare in Cities

See also Charities, Parks, Playgrounds and Schools.

BULLOCK, E. D., editor. Selected articles on child labor. Minneapolis, 1911. 196 pp. (*Debaters' Handbook Series*.)

Bibliography, pp. ix-xix.

CHICAGO, ILL. Public Library. Child welfare. A list of books and references to periodicals in the Chicago Public Library. Chicago, 1911. 35 pp.

CHICAGO SCHOOL OF CIVICS AND PHILANTHROPY. Finding employment for children who leave the grade schools to go to work. Chicago, 1911. 56 pp.

Selected bibliography relating to employment supervision, pp. 53-56.

ST. LOUIS, Mo. Public Library. A list of books and articles on child welfare. St. Louis, 1912. 11 pp.

UNITED STATES. Library of Congress. Division of Bibliography. List of works with reference to periodicals relating to child labor. Washington, 1906. pp. 66.

City Planning

BOSTON. Public Library. City and town planning. A list of books and periodical articles. In *Bulletin*, series 3, iii, no. 2, pp. 180-199, June, 1910.

BROOKLYN. Public Library. City planning and beautifying. A selected list of books and of references to periodicals. Brooklyn, 1912. 15 pp.

KANSAS CITY, Mo. Public Library. Municipal betterment bibliography. (In *Quarterly*, viii, no. 2, pp. 19-76, April, 1908.)

Contains many references to city planning.

MARSH, B. C. An introduction to city planning. New York, 1909. 156 pp.

Some good books on city planning, pp. 153-156.

MASSACHUSETTS. Metropolitan Plan Commission. Report, January 1, 1912. Boston. 61 pp.

A selected bibliography of city planning, pp. 59-60.

NEW YORK CITY. Public Library. Selected list of works relating to city planning and allied subjects. (In *Bulletin*, xvii, no. 11, pp. 930-960, November, 1913.)

NEW YORK CITY. Public Library. Selected list of references bearing on the city plan of New York. (In *Bulletin*, xvii, no. 5, pp. 396-408, May, 1913.)

NOLEN, JOHN. Replanning small cities. New York, 1912. 218 pp.

A short list of books, etc., on city planning and related subjects, pp. 205-218.

NEW YORK SCHOOL OF PHILANTHROPY. Social aspects of town planning. (In *Public Sociological Library Bulletin*, no 5, March, 1912. New York, 1912.)

REYNOLDS, J. B., editor. Civic bibliography for Greater New York. New York, 1911. 296 pp. (Russell Sage Foundation.)

Covers many subjects closely related to city planning.

RONTZAHN, E. G. Partial bibliography of civic progress. (In *Chautauquan*, xxvii, pp. 526-532, August, 1903.)

See also *ibid.*, xlii, pp. 94-96, 172-174, October, 1905.

SEATTLE, WASH. Public Library. A list of books and references to periodicals on municipal plans in the library. Its Reference Lists, nos. 1, 4, April, 1910, and February, 1911.

SPRINGFIELD, MASS. City Library. A special list of references on municipal improvement. (In *Bulletin*, xxvi, no. 11-12, pp. 399-406, December, 1906.)

ST. LOUIS, Mo. Public Library. A list of books and articles on city planning and civic centers. Compiled and annotated by Jesse Cunningham, librarian of the municipal reference branch of the St. Louis Public Library. St. Louis, 1912. 12 pp.

Reprinted from the *Bulletin of the Library*, May, 1912.

UNITED STATES. Library of Congress. Division of Bibliography. In collaboration with Harvard University. Department of Landscape Architecture. Check list of references on city planning. (In *Special Libraries*, iii, no. 5, pp. 61-123, May, 1912.)

UNWIN, R. Town planning in practice. London, 1911. 416 pp.

Bibliography, pp. 405-411.

WORCESTER, MASS. Free Public Library. Selected list of references on municipal improvement. (In *Bulletin*, xiii, no. 1, pp. 27-31, January, 1911.)

Civil Service in Cities

GRIFFIN, A. P. C. List of references on civil service. (In *United States Civil Service Commission Report*, 1904, pp. 133-153.)

KAISER, J. B. Some references to civil service reform. (In *Special Libraries*, ii, no. 5, pp. 51-52, May, 1911.)

NEW YORK. Civil Service Reform Association. Women's Auxiliary. A bibliography of civil service reform. 3d ed. New York, 1913.

A pamphlet of 72 pages containing full lists of material on civil-service reform and allied subjects.

Commission Government

See also *Direct Legislation*, Recall.

BEARD, C. A., editor. Loose leaf digest of short ballot charters. New York, 1911. Bibliography, pp. 281-291.

BRADFORD, E. S. Commission government in American cities. New York, 1911. 359 pp.

List of references, pp. 339-353.

BRADFORD, E. S. A comparison of the forms of commission government in cities. Philadelphia, 1910. 38 pp.

Commission-governed cities having the initiative, referendum and recall, p. 31; list of commission cities, with date of charter, statistics of population, etc., revised to December 31, 1910, pp. 36-38. For list revised to October 1, 1913, see pamphlet issued by the Civic Government League of Edmonton, Canada, November, 1913.

HOWARD, G. E. Present political questions. An analytical reference syllabus. Lincoln: University of Nebraska, 1913. 184 pp.

Commission government, pp. 116-117, 178-184.

INDIANA. State Library. List of references on municipal government by commission. (In Bulletin, v, nos. 5 and 6, pp. 4-14, November, 1910.)

LYTTON, E. C., compiler. The Des Moines plan of commission government, digest and references. Des Moines, 1912. 45 pp.

List of references to some of the best articles written on the Des Moines plan of commission government, pp. 37, 39-42.

MACGREGOR, F. H. City government. Bulletin of the University of Wisconsin, no. 423. Madison, 1911. 151 pp.

Bibliography, pp. 134-151.

MILWAUKEE. Public Library. Municipal Reference Branch. A list of books and references to periodicals relating to commission government, initiative, referendum and recall in the Milwaukee Reference Branch, City Hall. Milwaukee, 1912. 4 pp.

Commission government, p. 2.

MINNEAPOLIS. Public Library. Commission form of government. (In List no. 10, September, 1913. 3 pp.)

Gives list of cities operating under commission charters, and of best books and magazine articles.

MUNRO, W. B. The government of American cities. New York, 1912. 401 pp.

List of references on city government by commission, pp. 319-320.

NEW YORK. State Library. Legislative Reference Department. Commission government statute references. Albany, April 22, 1909.

A typewritten list.

ROBBINS, E. C. The high school debate book. Chicago, 1911. 229 pp.

Commission form of municipal government, briefs and bibliography, pp. 57-64.

—, compiler. Selected articles on the commission plan of municipal government. 2d edition. Minneapolis, 1910. 178 pp. (Debaters' Handbook Series.)

SEATTLE, WASH. Public Library. Municipal government: a list of books and references to periodicals in the Seattle Public Library. Reference List no. 4. Seattle, 1911. 31 pp.

Commission plan, pp. 18-19.

TRENTON, N. J. Free Public Library. The modern development of municipal government; a reference guide issued by the Public Library and the Chamber of Commerce. Trenton, 1912. 16 pp.

Contains list of cities and lists of general, affirmative and negative references.

— Free Public Library and Chamber of Commerce. Commission form of city government. In City Hall, xii, pp. 265-271, January, 1911.

List of cities, p. 266; bibliography, pp. 267-271.

UNITED STATES. Library of Congress. Division of Bibliography. Select list of references on commission government for cities. Compiled under the direction of Hermann H. B. Meyer, chief bibliographer. Washington, 1913. 70 pp.

The best list yet published.

UNIVERSITY OF NORTH DAKOTA. Brief and bibliography on commission plan of city government. University of North Dakota. Circular, new series, no. 3, 1910. 8 pp.

UNIVERSITY OF TEXAS. Department of Extension. Public discussion and information division. The commission form of city government. Bulletin of the University of Texas, no. 158, extension series no. 7. Austin, 1910. 7 pp.

WOODRUFF, C. R. New form of city charters; the commission system. In American Year Book, pp. 218-220, New York, 1910.

Bibliography, p. 224.

—, editor. City government by commission. New York, 1911. 381 pp.

Bibliography (Ford H. MacGregor, editor), pp. 355-369.

Direct Legislation

See also Recall and Commission Government.

BACON, E. M., and WYMAN, M. Direct elections and law-making by popular vote; the initiative, the referendum, the recall, commission government for cities, preferential voting. Boston, 1912. 167 pp.

Bibliography, pp. 153-156.

BROOKS, R. C. A bibliography of municipal problems and city conditions. New York, 1901. 346 pp.

Direct legislation, pp. 60-61.

HOWARD, G. E. Present political questions. An analytical reference syllabus. Lincoln: University of Nebraska, 1913. 184 pp.

Direct legislation, pp. 23-25, 123-140.

LOBINGIER, C. S. The people's law. New York, 1909. 429 pp.

Bibliography, pp. 395-409.

MUNRO, W. B. The government of American cities. New York, 1912. 401 pp.

List of references on direct legislation, pp. 356-357.

—, editor. The initiative, referendum and recall. New York, 1912. 365 pp. (National Municipal League Series.)

Sources and literature, pp. 342-348.

OHIO. State Library. Initiative and

referendum. Compiled by C. B. Galbreath. Columbus, 1911. 79 pp.

Bibliography, pp. 64-79.

PEHELPS, EDITH M., compiler. Selected articles on the initiative and referendum. 2d edition, enlarged. Minneapolis, 1911. 164 pp. (Debaters' Handbook Series.)

Bibliography, pp. xi-xxxi.

PEARSON, P. M., and NICHOLS, E. R., editors. Intercollegiate debates. 2 vols. New York, 1909. 507-833 pp.

List of references on initiative and referendum, pp. 67-90.

RINGWALT, R. C. Briefs on public questions. New York, 1911. 229 pp.

Direct legislation, pp. 50-58.

ROBBINS, E. C. The high school debate book. Chicago, 1911. 229 pp.

Bibliography on initiative and referendum, pp. 121-133.

SCHAFFNER, MARGARET A. Initiative and referendum. Wisconsin Library Commission. Comparative Legislation Bulletin no. 11, September, 1907. Madison. 32 pp.

References, pp. 3-4.

TALBOT, C. H. The initiative and referendum. Wisconsin Library Commission. Comparative Legislation Bulletin no. 25, January, 1913. Madison. 92 pp.

References, pp. 5-11.

UNITED STATES. Library of Congress. Division of Bibliography. Select list of references on initiative, referendum and recall. Compiled by H. H. B. Meyer, chief bibliographer. Washington, 1911. 102 pp.

UNIVERSITY OF KANSAS. Extension Division. Debating and public discussion. Announcement of the Kansas high school debating league for 1910-1911. Lawrence, 1910. 45 pp.

List of references on the initiative and referendum, pp. 32-35.

UNIVERSITY OF NORTH DAKOTA. Initiative and referendum. Announcements

of the North Dakota high school debating league, 2d annual contest. 1910.

Bibliography, pp. 25-31.

WILMINGTON INSTITUTE FREE LIBRARY. References on the initiative and referendum. (In Bulletin, ii, no. 2, pp. 6-8, December, 1906.)

Docks, Harbors, and Wharves

SEATTLE, WASH. Public Library. Harbors and docks. A list of books and references to periodicals in the Seattle Public Library. Its Reference List no. 5, February, 1913. 40 pp.

Elections

BROOKS, R. C. Bibliography of municipal problems and city conditions. New York, 1901. 346 pp.

Elections, pp. 63-66.

FANNING, C. E., compiler. Selected articles on direct primaries. 3d ed. Minneapolis, 1911. 145 pp. (Debaters' Handbook Series.)

Bibliography, pp. 11-22.

HOWARD, G. E. Present political questions. An analytical reference syllabus. Lincoln: University of Nebraska, 1913. 184 pp.

Direct primaries, pp. 41-42; protection of the ballot and the safeguard of elections, pp. 55-58; election abuses and corrupt practice laws, pp. 66-67; ballot reform and corrupt practices, pp. 140-149.

KANSAS CITY, Mo. Public Library. Municipal betterment bibliography. (In Quarterly, viii, no. 2, pp. 19-76, April, 1908.)

Elections, pp. 21-22, 34-35.

LOWRIE, S. G. Corrupt practices at elections. Wisconsin Library Commission. Comparative Legislative Bulletin no. 23, February, 1911. Madison. 86 pp.

References, pp. 3-4.

MERRIAM, C. E. Primary elections. 2d ed. Chicago, 1902. pp. 308.

Bibliography, pp. 289-295.

MUNRO, W. B. The government of American cities. New York, 1912. 401 pp.

References, pp. 124, 151-152.

NEW YORK. State Library. List of references on direct primaries. (In Legislative Bulletin, no. 30b, pp. 22-26, 1906.)

SCHAFFNER, MARGARET A. Primary elections. Wisconsin Library Commission. Comparative Legislative Bulletin no. 13, August, 1908. Madison.

References, pp. 3-4.

UNITED STATES. Library of Congress. Division of Bibliography. List of references on primary elections, particularly direct primaries. Washington, 1905. 25 pp.

—. Library of Congress. Division of Bibliography. Select list of references on corrupt practices in elections. Washington, 1908. 12 pp.

Employment Agencies

See Unemployment.

Excess Condemnation

NEWARK, N. J. Free Public Library. Excess condemnation. A selected list of references. (In The Newarker, i, no. 7, pp. 117-119, May, 1912.)

UNITED STATES. Library of Congress. Division of Bibliography. Select list of references on excess condemnation and municipal ownership of land. Washington, 1910.

A typewritten list of four pages.

—. Library of Congress. Division of Bibliography. Select list of references on eminent domain and condemnation procedure. Washington, 1912.

A typewritten list of six pages.

Finance, Municipal

See also Taxation.

BAKER, M. N. Bibliography of uniform municipal accounting. (In National Municipal League Proceedings, 1902, pp. 327-329. Philadelphia, 1902.)

BROOKS, R. C. A bibliography of municipal problems and city conditions. New York, 1901. 346 pp.

Finance, pp. 70-75.

DOBBINS, E. V., compiler. A classified list of books on accounting and allied subjects. (In Special Libraries, iii, no. 2, pp. 40-42, March, 1912.)

HARVARD UNIVERSITY. Bureau for Research in Municipal Government. The best sources of city revenue. References to books and periodicals. Cambridge, 1913.

A typewritten list of eleven pages.

KANSAS CITY, Mo. Public Library. Municipal betterment bibliography. (In Quarterly, viii, no. 2, pp. 19-76, April, 1908.

Municipal finance, p. 46.

NEW YORK CITY. Public Library. Check list of American municipal official documents relating to finance, in the New York Public Library. (In Bulletin, vi, no. 8, pp. 315-327. August, 1902.)

SCOTT, LAURA. Certified public accountants. Wisconsin Library Commission. Legislative Reference Bulletin no. 22, October, 1910. Madison. 44 pp.

References, pp. 3-5.

UNITED STATES. Library of Congress. Division of Bibliography. Select list of references on municipal finance and taxation. Washington, 1912.

A typewritten list of seven pages.

—. Library of Congress. Division of Bibliography. Select list of references on the budgets of foreign countries. Washington, 1904. 19 pp.

—. Library of Congress. Division of Bibliography. List of references relating to railroads and municipal accounting. Washington, 1910.

A typewritten list of eight pages.

UPSON, L. D. Sources of municipal revenues in Illinois. Urbana, 1912. 126 pp.

Bibliography, p. 120.

Fire Prevention and Protection

See also Building Laws.

AMERICAN SCHOOL OF CORRESPONDENCE. Cyclopedic of fire prevention and insurance. 4 vols. Chicago, 1912. 1800 pp.

Bibliography at the beginning of each volume.

HANDY, D. N. A selected list of references to recent publications of interest on fire insurance and related subjects. (In Special Libraries, iii, no. 9, pp. 186-188, November, 1912.)

INSURANCE LIBRARY ASSOCIATION OF BOSTON. Catalogue of the Association. Boston, 1899.

Cause and prevention of fires, pp. 29-36; fire patrols and protective departments, pp. 63-64; fire preventing devices, pp. 65-71.

KANSAS CITY, Mo. Public Library. Municipal betterment bibliography. (In Quarterly, viii, no. 2, pp. 19-76, April, 1908.)

Fire protection, pp. 35-36.

NATIONAL FIRE PROTECTION ASSOCIATION. Publications on the subject of fire prevention and fire protection: available in the files and index to subjects covered in the printed records. Boston, 1913. 70 pp.

UNITED STATES. Library of Congress. Division of Bibliography. Selected list of references on fire protection. Washington, 1913.

A typewritten list of nineteen pages. Printed also in Special Libraries, iv, no. 2, pp. 28-39, February, 1913.

Garbage and Refuse Disposal

See also Sewage and Sanitation, and Street Cleaning.

BAILEY, E. H. S. Text-book of sanitary and applied chemistry. New York, 1906. 345 pp.

Bibliography, pp. 323-332.

BROOKS, R. C. A bibliography of municipal problems and city conditions. New York, 1901. 346 pp.

Garbage and refuse disposal, pp. 83-84.

NEW YORK CITY. Municipal Reference Library. Text-books on refuse and sewage disposal. (In Bulletin, October, 1913.)

NEW YORK CITY. Public Library. List of works on city wastes and street hygiene. (In Bulletin, xvi, no. 10, pp. 731-783, October, 1912.)

PITTSBURGH. Carnegie Library. Refuse and garbage disposal, references to books and magazine articles. 1909. Compiled by C. W. Holmes. Reprinted from Monthly Bulletin, January, 1909. 39 pp.

The preceding are the two most comprehensive and best lists yet printed on the subject.

SMITH, A. W. Select bibliography of sanitary science and allied subjects. Boulder, Colo., 1909. 37 pp.

Grade Crossings, Elimination of

NEW YORK STATE. Public Service Commission. First District. Review of grade crossing elimination, digest and bibliography; report to commissioner, Edward M. Bassett, by Robert H. Whitten, librarian-statistician. New York, 1910.

ST. LOUIS. Public Library. Grade crossing elimination in American cities. Bibliography and digest of reports from cities. (In Monthly Bulletin, new series, xi, no. 7, pp. 157-174, July, 1913.)

Home-Rule Charters

See also Charters.

BROOKS, R. C. A bibliography of municipal problems and city conditions. New York, 1901. 346 pp.

References on home-rule charters, p. 98.

BROWN, C. H. List of titles on municipal government, with special reference to city charters and to local conditions in Chicago. City Club of Chicago, publication no. 3, 1906. 51 pp.

Home rule for cities, p. 45.

HOWARD, G. E. Present political questions. An analytical reference syllabus. Lincoln: University of Nebraska, 1913. 184 pp.

References on home rule, pp. 108-109, 178-184.

REYNOLDS, J. B., editor. Civic bibliography for Greater New York. New York, 1911. 296 pp. (Russell Sage Foundation.)

References on home rule, p. 29.

SCHAFFNER, MARGARET A. Municipal home-rule charters. Wisconsin Library Commission. Legislative Reference Bulletin no. 18, October, 1908. Madison. 38 pp.

References, pp. 3-4.

UNITED STATES. Library of Congress. Division of Bibliography. Select list of references on municipal home rule. Washington, 1911.

A typewritten list of five pages.

VIRGINIA. State Library. Legislative reference lists, 1910. Richmond.

Home rule, pp. 9-14.

Housing

See also Building Laws, City Planning, Population.

BALCH, EMILY G. Suggestions for a study of conditions of city life. Boston, 1904. 13 pp.

Contains a brief bibliography.

BOSTON. Public Library. City and town planning bibliography. (In Bulletin, 3d series, iii, pp. 180-199, June, 1910.)

BROOKS, R. C. A bibliography of municipal problems and city conditions. New York, 1901. 346 pp.

Housing, pp. 99-107.

CHICAGO SCHOOL OF CIVICS AND PHILANTHROPY. The housing problem; literature in central Chicago libraries. In Bulletin no. 14, July, 1912. 40 pp.

HLDER, J. Reports on housing. (In National Municipal Review, i, no. 4, pp. 696-698, October, 1912. See also *ibid.*, iii, no. 1, pp. 168-169, January, 1914.)

Gives a list of 86 recent housing reports in the United States and Canada.

KANSAS CITY, Mo. Public Library. Municipal betterment bibliography. (In Quarterly, viii, no. 2, pp. 21-71, April, 1908.)

MACGREGOR, F. H. Tenement house legislation—state and local. Wisconsin Library Commission. Legislative Reference Bulletin no. 19, January, 1909. Madison. 96 pp.

Housing bibliography, p. 4.

MASSACHUSETTS. Bureau of Statistics. Homesteads for workmen. (In Labor Bulletin no. 88, January, 1912. Boston. 46 pp.)

Bibliography, pp. 34–41.

NEW YORK. Public Library. Select list of works relating to city planning and allied subjects. (In Bulletin, xvii, no. 11, pp. 930–960, November, 1913.)

Housing, pp. 948–951.

NEW YORK SCHOOL OF PHILANTHROPY. Social aspects of town planning. Library Bulletin no. 5. New York, 1912. 4 pp.
— Improved housing. *Ibid.*, no. 6. New York, 1912. 4 pp.

PITTSBURGH. Carnegie Library. Housing. Books and periodicals in the library on the housing problem. (In Monthly Bulletin, xvi, pp. 568–604, December, 1911.)

REYNOLDS, J. B., editor. Civic bibliography for Greater New York. New York, 1911. 296 pp. (Russell Sage Foundation.)

Housing, pp. 164–180.

ST. LOUIS, Mo. Public Library. City planning and civic centers. (In Monthly Bulletin, new series, x, no. 5, pp. 286–296, May, 1912.)

— Public Library. List of references on municipal lodging houses. (In Monthly Bulletin, new series, x, no. 7, pp. 327–328, July, 1912.)

SEATTLE, WASH. Public Library. Municipal plans. A list of books and references to periodicals in the Seattle Public Library. Its Reference List no. 1, April, 1910. 13 pp.

TOKE, L. A. St. L., editor. A list of some recent works on housing and on rural problems. London, 1908. 32 pp.

UNWIN, RAYMOND. Town planning in practice. London, 1909. 416 pp.

Bibliography, pp. 405–411.

WEBB, SIDNEY. The house famine and how to relieve it. London, 1900.

A select bibliography of the housing question, pp. 44–50.

Initiative and Referendum

See Direct Legislation, also Commission Government and Recall.

Lighting

See also Municipal Ownership, Public Utilities.

BOHLE, H. Electrical photometry and illumination. London, 1912. 222 pp.

Bibliography, pp. 212–218.

BRADFORD, E. S. Municipal electric lighting. Wisconsin Library Commission. Legislative Reference Bulletin no. 5, April, 1906. Madison. 22 pp.

List of references, p. 3.

BRADFORD, E. S. Municipal gas lighting. Wisconsin Library Commission. Legislative Reference Bulletin no. 8, September, 1906. Madison. 22 pp.

List of references, pp. 3–4.

BROOKS, R. C. A bibliography of municipal problems and city conditions. New York, 1901. 346 pp.

Lighting, pp. 116–125, 164–167.

GERHARD, W. P. The American practice of gas piping and lighting. New York, 1908. 306 pp.

Bibliography, pp. 279–293.

JOHNS HOPKINS UNIVERSITY. Lectures on illuminating engineering. 2 vols. Baltimore, 1911.

Lists of references, i, pp. 85–91, 208–209, 276, 410; ii, pp. 793, 927–929.

KANSAS CITY, Mo. Public Library. Municipal betterment bibliography. (In Quarterly, viii, no. 2, pp. 21–71, April, 1908.)

Lighting of cities, pp. 42–43.

NEW YORK. Public Library. List of works in the New York Public Library relating to illumination. (In Bulletin, xii, no. 12, pp. 686–734, December, 1908.)

Lodging Houses

See Housing.

Markets

See also Abbatoirs.

UNITED STATES. Surgeon-General's Office. Library. Index catalogue of the library of the surgeon-general's office. United States Army. Author and subjects. 2d series. Washington, 1880-1895. Markets, x, p. 140.

WILLIAMSON, C. C. Selected references on markets and marketing. (In *Special Libraries*, iv, no. 3, pp. 49-52, March, 1913.)

Municipal Law

BROOKS, R. C. Bibliography of municipal problems and city conditions. New York, 1901. 346 pp.

Municipal law, p. 97.

DILLON, J. F. Commentaries on the law of municipal corporations. 5th edition. 5 vols. Boston, 1911.

References to municipal law, *passim*.

JONES, L. A. An index to legal periodical literature. 2 vols. Boston, 1888 and 1899.

Contains references to articles on the law of municipal corporations.

Municipal Ownership

See also Lighting, Public Utilities, Transportation, Water Supply.

BROOKINGS, W. D., and RINGWALT, R. C. Briefs for debate. New York, 1911. 213 pp.

Municipal ownership bibliography, pp. 132-134.

BROOKLYN. Public Library. Books on municipal ownership. Brooklyn, 1906. 28 pp.

BROOKS, R. C. Bibliography of municipal problems and city conditions. New York, 1901. 346 pp.

Municipal ownership, pp. 157-169.

KANSAS CITY, Mo. Public Library. Bibliography of municipal betterment. (In *Quarterly*, viii, no. 2, pp. 21-71, April, 1908.)

Municipal ownership, pp. 52-56.

KNOOP, DOUGLAS. Principles and methods of municipal trading. London, 1912. 409 pp.

Bibliographical note, pp. 389-393.

MORGAN, J. E., and BULLOCK, E. D., compilers. Selected articles on municipal ownership. Minneapolis, 1911. 219 pp. (Debaters' Handbook Series.)

Bibliography, pp. xv-xxiv.

RINGWALT, R. C. Briefs on public questions. New York, 1911. 229 pp.

Municipal ownership bibliography, pp. 184-190.

ROBBINS, E. C. The high school debate book. Chicago, 1911. 229 pp.

Municipal ownership bibliography, pp. 134-145.

UNITED STATES. Library of Congress. Division of Bibliography. Select list of books on municipal affairs with special reference to municipal ownership. Washington, 1906. 34 pp.

—. Library of Congress. Division of Bibliography. List of references on municipal gas and water supply. Washington, 1910.

A typewritten list of eight pages.

—. Library of Congress. Division of Bibliography. Select list of references on municipal ownership and operation of street railways. Washington, 1912.

A typewritten list of six pages.

UNIVERSITY OF TEXAS. Department of Extension. Public discussion and information division. Municipal ownership of public utilities. (In *Bulletin* no. 158, November, 1910. Austin. 7 pp.)

WILCOX, D. F. Municipal franchises. 2 vols. New York, 1910. 710+885 pp.

Lists of authorities, i, 665-671.

Nominations

DALLINGER, F. W. Nominations for elective office in the United States. New York, 1903. 290 pp.

Bibliography, pp. 221-224.

MEYER, E. C. Nominating systems. Madison, 1902. 501 pp.

Lists of references at end of each chapter.

Parks and Playgrounds

BLACKMAR, F. W. Playgrounds and parks. University of Kansas Bulletin xi, no. 2, pt. 1. Social betterment series, no. 1. Lawrence, 1910. 12 pp.

Bibliography, pp. 10-11.

BROOKS, R. C. Bibliography of municipal problems and city conditions. New York, 1901. 346 pp.

Parks, playgrounds, etc., pp. 212-216.

HARVARD UNIVERSITY. Department of Social Ethics. A guide to reading in social ethics and allied subjects. Cambridge, 1910. 265 pp.

List of references on public recreation, pp. 132-137.

KANSAS CITY, MO. Public Library. Bibliography of municipal betterment. (In Quarterly, viii, no. 2, pp. 21-71, April, 1908.)

Parks and playgrounds, pp. 56-58.

KING, IRVING. Social aspects of education. New York, 1912. 425 pp.

Selected bibliography of play and playgrounds, pp. 126-128.

LEE, JOSEPH. Playground bibliography. American Civic Association. Department of Public Recreation. Department leaflet no. 7. Boston, 1907.

NEW YORK CITY. Public Library. Check list of works on landscape gardening and parks. (In Bulletin, iii, no. 12, pp. 506-517, December, 1899.)

REYNOLDS, J. B., editor. Civic bibliography for Greater New York. New York, 1911. 296 pp. (Russell Sage Foundation.)

RUSSELL SAGE FOUNDATION. New York. Recreation bibliography. New York, 1912. 37 pp.

The best and most inclusive list covering all phases of the subject.

UNIVERSITY OF KANSAS. Extension Division. Playgrounds and parks. General information and welfare Bulletin, xl, no. 2, pt. 1, Social Betterment Series, no. 1, January, 1910. Lawrence. 12 pp.

Bibliography, pp. 10-11.

Parties and Politics

BROOKINGS, W. D., and RINGWALT, R. C. Briefs for debate. New York, 1911. 213 pp.

Bibliography of party allegiance in municipal elections, pp. 24-26.

BROOKS, R. C. Bibliography of municipal problems and city conditions. New York, 1901. 346 pp.

Parties and party politics in cities, pp. 216-218.

BROWN, E., and STRAUSS, A. Dictionary of American politics. New revised edition. New York, 1907. 592 pp.

Bibliography, *passim*.

HOWARD, G. E. Present political questions. An analytical reference syllabus. Lincoln: University of Nebraska, 1913. 184 pp.

Party government, pp. 29-30, 123-140.

JONES, C. L. Readings on parties and elections. New York, 1912. 354 pp.

Table of contents, pp. ix-xv.

MUNRO, W. B. The government of American cities. New York, 1912. 401 pp.

References, pp. 178-179.

OSTROGORSKI, M. Democracy and the party system in the United States. New York, 1910. 469 pp.

Bibliographical note, pp. 457-461.

RAY, P. O. An introduction to political parties and practical politics. New York, 1913. 493 pp.

Bibliography at the end of each chapter.

UNITED STATES. Library of Congress. Division of Bibliography. List of works relating to political parties in the United States. Washington, 1907. 29 pp.

Pavements

See Streets.

Pensions

DUTTON, S. T., and SNEDDEN, D. The administration of public education in the United States. New York, 1909. 601 pp.

References on teachers' pensions, pp. 274-275.

NELSON, C. A. Bibliography of teachers' salaries and pensions. (*Educational Review*, xxxiii, pp. 24-35, January, 1907.)

UNITED STATES. Library of Congress. Division of Bibliography. Select list of references on old age and civil service pensions. Washington, 1903. 18 pp.

—. Library of Congress. Division of Bibliography. Select list of references on teachers' pensions. Washington.

A typewritten list of eight pages.

Police

BEARD, C. A. American city government. New York, 1912. 420 pp.

References on police administration, p. 411.

HARVARD UNIVERSITY. Bureau of Research in Municipal Government. List of references on police organization and administration. (*In American City*, x, no. 4, April, 1914.)

UNITED STATES. Library of Congress. Division of Bibliography. Select list of references on municipal police departments. Washington, 1910.

A typewritten list of four pages.

Population, Congestion of

BROOKS, R. C. A bibliography of municipal problems and city conditions. New York, 1901. 346 pp.

Population, etc., pp. 227-230.

BROOKLYN. Public Library. Congestion of population. A partial list of books in the Brooklyn Public Library. Brooklyn, 1908. 16 pp.

NEWARK. Free Public Library. Immigration: a few of the best and latest books and magazine articles on the subject. Newark, 1907. 2 pp.

PRATT, E. E. Industrial causes of the congestion of population in New York City. New York, 1911. 259 pp.

Bibliography, pp. 249-259.

UNITED STATES. Library of Congress. Division of Bibliography. List of books, with references to periodicals, on immigration. Compiled by A. P. C. Griffin. 3d issue, with additions. Washington, 1907. 157 pp.

—. Library of Congress. Division of Bibliography. Select list of references on rural depopulation and the growth of cities. Washington, 1911.

A typewritten list of five pages.

WEBER, A. F. The growth of cities in the nineteenth century. New York, 1899. 495 pp.

References, *passim*.

Proportional Representation

BROOKS, R. C. A bibliography of municipal problems and city conditions. New York, 1901. 346 pp.

Proportional representation, pp. 230-231.

CURTIS, R. E. Proportional representation. Wisconsin Free Library Commission. Legislative Reference Bulletin no. 14, August, 1908. Madison, 29 pp.

References, pp. 3-4.

HOWARD, G. E. Present political questions. An analytical reference syllabus. Lincoln: University of Nebraska, 1913. 184 pp.

Proportional representation, pp. 15-16, 123-140.

RINGWALT, R. C. Briefs on public questions. New York, 1911. 229 pp.

Bibliography on proportional representation, pp. 59-64.

UNITED STATES. Library of Congress. Division of Bibliography. A list of books with references to periodicals relating to proportional representation. Washington, 1904. 29 pp.

Public Health and Hygiene

See also Garbage Disposal, Housing, Sewage, Water Supply, Smoke Abatement.

BROOKS, R. C. A bibliography of municipal problems and city conditions. New York, 1901. 346 pp.

Public health, sanitation, pp. 240-243.

GERHARD, W. P. Guide to sanitary inspection. 4th edition. New York, 1909. 229 pp.

Bibliography on sanitary surveys and inspections, pp. 227-229.

—. Sanitation and sanitary engineering. New York, 1909. 175 pp.

References, p. 175.

GODFREY, H. The health of the city. Boston, 1910. 372 pp.

Selected bibliography, pp. 346-358.

KANSAS CITY, Mo. Public Library. Municipal betterment bibliography. In Quarterly, viii, no. 2, pp. 21-71, April, 1908.

Sanitation, public health, pp. 23-24, 60-63.

ROSENAU, M. J. The milk question. Boston, 1912. 309 pp.

References, pp. 299-302.

SMITH, A. W., compiler. Selected bibliography of sanitary science and allied subjects. Boulder, 1909. 37 pp.

UNITED STATES. Library of Congress. Division of Bibliography. Select list of references on public drinking cup legislation. Washington, 1911.

A typewritten list of three pages.

—. Public Health and Marine Hospital Service. Publications, January, 1910. Washington, 1910. 25 pp.

WASHINGTON, D. C. Public Library. Health and hygiene. A brief annotated list of books on physiology, food, sanitation, ventilation, care of children, diseases, etc. Reference list no. 7. Washington, 1906.

YALE UNIVERSITY. Library. List of medical serials (including public health reports) in the Yale University Library. Compiled by Sara G. Hyde. New Haven, 1912. 445 pp.

Public Utilities

BIBLIOGRAPHY of interest to public service corporations. (In Special Libraries, iii, no. 9, pp. 184-186, November, 1912.)

BIBLIOGRAPHY on valuation of public utilities. (In Proceedings of the American Society of Civil Engineers, August, 1913. p. 2133-2193.)

Also issued as a separate.

FOSTER, H. A. Engineering valuation of public utilities and factories. New York, 1912. 345 pp.

Bibliography, pp. 330-332.

KING, C. L., editor. The regulation of municipal utilities. New York, 1912. 404 pp. (National Municipal League Series.)

Selected bibliography, pp. 387-391.

LAPP, J. A. Public service commission laws. A comparison of the laws of New York, Wisconsin, Massachusetts, New Jersey and Maryland. Columbus. 1911. 18 pp.

Select list of references, pp. 15-18.

LEE, G. W. Public utilities references. (In Special Libraries, i, no. 5, pp. 36-38, May, 1910; i, no. 9, pp. 69-71, November, 1910; ii, no. 3, pp. 23-27, March, 1911.)

LINDHOLM, M. F. Brief list of references on public utilities. New York, 1909. 8 leaves. (Library. Public Service Commission. First District, N. Y. State.)

LIST of public service commissions regulating electrical companies. (In Electrical World, lix, pp. 528-529, March 9, 1912.)

MORTON, F. N. Public utilities references. (In Special Libraries, ii, no. 8, pp. 101-106, November, 1911.)

NATIONAL ASSOCIATION OF RAILWAY COMMISSIONERS. Select list of references on the valuation of public service corporations. Compiled by Mary M. Rosemond, 1912. 25 pp.

NEW YORK. Public Service Commission. First District. Library. A list of references relating to the organization and work of the New York Public Service Commission. New York, 1908.

UNITED STATES. Library of Congress. Division of Bibliography. Select list of references on public utilities commissions. Washington, 1912.

A typewritten list of fifteen pages.

WYER, S. S. Regulation, valuation and depreciation of public utilities. Columbus, 1913. 313 pp.

Selected bibliography, pp. 252-265.

Public Works

See City Planning, Streets, etc.

Recall

See also Commission Government, Direct Legislation.

BACON, E. M., and WYMAN, M. Direct elections and law-making by popular vote. New York, 1912. 167 pp.

Bibliography, pp. 153-156.

CENTRAL DEBATING LEAGUE. The recall (excluding judges). A debate, the constructive and rebuttal speeches of the representatives of the University of Chicago, in the 14th annual contest of the Central Debating League against Michigan and North Western. Chicago, January 19, 1912. 38 pp.

Bibliography, pp. 34-38.

JOHNSEN, JULIA E., compiler. Selected articles on the recall. Minnesota, 1911. 32 pp. (Debaters' Handbook Series.)

Bibliography, pp. 9-13.

MUNRO, W. B., editor. The initiative, referendum and recall. New York, 1912. 365 pp. (National Municipal League Series.)

Sources and literature, pp. 342-348.

SCHAFFNER, MARGARET A. The recall. Wisconsin Library Commission. Legislative Bulletin no. 12, December, 1907. Madison. 21 pp.

References, pp. 3-4.

UNITED STATES. Library of Congress. Division of Bibliography. Select list of references on the initiative, referendum and recall. Compiled by H. H. B. Meyer. Washington, 1911. 102 pp.

Referendum

See Direct Legislation.

Reform, Municipal

MUNRO, W. B. The government of American cities. New York, 1912. 401 pp.

References, pp. 384-385.

NATIONAL MUNICIPAL LEAGUE. Bibliography of municipal government and reform. In the Proceedings, 1894, pp. 341-381.

See also the annual Proceedings, 18 vols., 1894-1912.

Refuse Disposal

See Garbage.

Sanitation

See Sewerage.

School Administration

See also Parks and Playgrounds, Pensions, Vocational Guidance.

BROOKS, R. C. A bibliography of municipal problems and city conditions. New York, 1901. 346 pp.

School systems in cities, pp. 244-246.

DUTTON, S. T., and SNEDDEN, D. The administration of public education in the United States. New York, 1909.

References at the end of each chapter.

GERHARD, W. P. Bibliography of school buildings and school hygiene. (In American Architect, lxxxviii, 14, 1905.)

KING, IRVING. Social aspects of education. A book of sources and original discussions with annotated bibliographies. New York, 1912. 425 pp.

Selected bibliographies at end of each chapter.

MUNROE, PAUL. Encyclopedia of education. 5 vols. New York, 1913-1914.

References, *passim*.

PERRY, A. C. Outlines of school administration. New York, 1912. 425 pp.

Bibliography, pp. 434-443.

———. Wider use of the school plant. New York, 1911. 423 pp. (Russell Sage Foundation.)

References at end of each chapter.

WARD, E. J. The social center. New York, 1913. 359 pp.

Bibliography, pp. 344-351.

Sewerage and Sanitation

See also Public Health, Hygiene, Garbage and Refuse Disposal, Water Supply.

BAILEY, E. H. S. Text book of sanitary and applied chemistry. New York, 1906. 345 pp.

Bibliography of nine pages in appendix.

BROOKS, R. C. A bibliography of municipal problems and city conditions. New York, 1901. 346 pp.

Sewage disposal, pp. 248-253.

KINNICUTT, L. P., WINSLOW, C.-E. A., and PRATT, P. W. Sewage disposal. New York, 1911. 436 pp.

Bibliography, pp. 411-421.

MAXWELL, W. H., and BROWN, J. T., editors. Encyclopedia of municipal and sanitary engineering. New York, 1910. 561 pp.

References, *passim*.

PITTSBURGH. Carnegie Library. Sewage disposal and treatment, reference to books and magazine articles. Reprinted from Monthly Bulletin, November, 1910. 96 pp.

An excellent bibliography. The best available.

SMITH, A. W., compiler. Select bibliography of sanitary science and allied subjects. Boulder, 1909. 37 pp.

UNITED STATES. Library of Congress. Division of Bibliography. Select list of references on sewage and sewage disposal. Washington, 1910.

A typewritten list of nine pages.

Short Ballot

See also Commission Government.

MEYER, H. H. B. Select list of references on the short ballot. Indianapolis, 1911. (In Special Libraries, ii, no. 6, pp. 58-61, June, 1911.)

Smoke Abatement

AMERICAN CIVIC ASSOCIATION. The smoke nuisance. 2d ed. Washington, 1911. 56 pp.

Bibliography, p. 56.

GRAHAM, J. W. The destruction of daylight; a study in the smoke problem. London, 1907. 152 pp.

Bibliography, pp. 147-148.

HAYS, J. W. Combustion and smokeless furnaces. New York, 1906. 101 pp.

Authorities cited, pp. v-vi.

LANDRETH, O. H. Smoke prevention. (In Tennessee State Board of Health Bulletin, viii, 1893. Nashville, 1892-1893.)

Partial list of titles, p. 10.

PITTSBURGH. Carnegie Library. Smoke prevention; references to books and magazine articles. Reprinted from the Monthly Bulletin, May, 1907. 19 pp.

A full list of all available material.

UNITED STATES. Bureau of Mines. Bulletin no. 39. The smoke problem at boiler plants, a preliminary report by D. T. Randall. Reprint of United States Geological Survey Bulletin 334, revised by S. B. Flag. Washington, 1912.

Bibliography, pp. 186-188.

—. Bureau of Mines. Bulletin no. 40. The smokeless combustion of coal in boiler furnaces, by D. T. Randall and H. W. Weeks. Reprint of United States Geological Survey Bulletin 373, revised by Henry Kreisinger. Washington, 1912.

Bibliography, pp. 185-186. See also Bulletin no. 49.

Streets

See also City Planning.

BROOKS, R. C. A bibliography of municipal problems and city conditions. New York, 1901. 346 pp.

Streets, pp. 257-258.

FROST, HARWOOD, compiler. The art of roadmaking. New York, 1910. 544 pp.

Bibliography of roads, streets, and pavements, pp. 505-533.

—, compiler. Notes on the literature of roads, streets and pavements. Reprinted from the Engineering Digest. New York, 1909. 32 pp.

NEW YORK CITY. Public Library. List of works on the streets of New York City. (In Bulletin, v, no. 4, pp. 151-159, April, 1901.)

See also *ibid.*, xvi, no. 10, pp. 731-783, October, 1912.

UNITED STATES. Superintendent of Documents. Public Roads Office. Bulletins and circulars relating to the improvement of roads. 3d edition. Washington, 1911. 9 pp. (Price list 45.)

WASHINGTON. State Library. Select list of references on roads. Olympia, 1912. 41 pp.

WEBB, SIDNEY. Bibliography of road making and maintenance in Great Britain. London, 1906. 34 pp.

Street Cleaning

KANSAS CITY, Mo. Public Library. Municipal betterment bibliography. (In Quarterly, viii, no. 2, pp. 21-71, April, 1908.)

Street cleaning, pp. 64-65.

NEW YORK CITY. Public Library. List of works on city wastes and street hygiene. (In Bulletin, xvi, no. 10, pp. 731-783, October, 1912.)

Suffrage

BROOKINGS, W. D., and RINGWALT, R. C. Briefs for debate. New York, 1908. 213 pp.

Property qualifications for municipal suffrage, pp. 11-13.

RINGWALT, R. C. Briefs on public questions. New York, 1911. 229 pp.

Bibliography on educational qualifications for suffrage, pp. 25-29.

Street Railways

See Transportation.

Taxation

See also Assessments, Finance.

SELIGMAN, E. R. A. Essays in Taxation. 8th edition, revised and enlarged. New York, 1913. 707 pp.

Bibliography, pp. 63-65, 676-682.

UNITED STATES. Library of Congress. Division of Bibliography. Select list of references on municipal finance and taxation. Washington, 1912.

A typewritten list of seven pages.

Tenements

See Housing.

Transportation

See also Municipal Ownership, Public Utilities.

BROOKS, R. C. A bibliography of municipal problems and city conditions. New York, 1901. 346 pp.

Transit facilities, pp. 262-270.

KANSAS CITY, Mo. Public Library. Municipal betterment bibliography. (In Quarterly, viii, no. 2, pp. 21-71, April, 1908.)

Street railways, pp. 65-67.

WHITTEN, R. H. List of references on street railway service. (In Special Libraries, ii, no. 6, pp. 61-63, June, 1911.)

Unemployed

BROOKINGS, W. D., and RINGWALT, R. C. Briefs for debate. New York, 1911. 213 pp.

Bibliography on municipal aid for the unemployed, pp. 168-169.

BROOKS, R. C. A bibliography of municipal problems and city conditions. New York, 1901. 346 pp.

Unemployed, pp. 271-274.

DEVINE, E. T. Report on the desirability of establishing an employment bureau in the City of New York. New York, 1909. 238 pp. (Russell Sage Foundation.)

Bibliography, pp. 232-238.

TAYLOR, F. I. A bibliography of unemployment and the unemployed. With preface by Sidney Webb. London, 1909. 76 pp.

Vocational Guidance

BLOOMFIELD, M. Vocational guidance of youth. New York, 1911. 123 pp.

References, pp. 117-120.

BOSTON. Vocation Bureau. Bibliography of books and periodicals in English and German, dealing with vocational direction.

BROOKLYN. Public Library. Choosing an occupation. A list of books and references on vocational choice, guidance and training in the Brooklyn Public Library. 1913. 63 pp.

An extremely useful list.

BRUNDAGE, H. D., and RICHARDS, C. R. Selected bibliography on industrial education. In National Education Association Proceedings. Report of committee on the place of industries in public education. 1910.

CHAMBERLAIN, A. H. Conditions and tendencies of technical education in Germany. New York, 1908. 108 pp.

Bibliography of technical education, pp. 105-108.

CHICAGO. Public Library. Vocational and industrial education and vocational guidance. (In its Book Bulletin, pp. 45-46, March, 1912.)

COOLEY, E. G. Vocational education in Europe, 1912. Chicago, 1912. 347 pp.

Bibliography, p. 7.

GRAND RAPIDS, MICH. Public Library. List of books on vocational guidance. (In Bulletin, pp. 150-156, October, 1911.)

HARVARD UNIVERSITY. Department of Social Ethics. A guide to reading in social ethics and allied subjects. Cambridge, 1910. 265 pp.

Industrial education, pp. 144-150.

KING, IRVING. Social aspects of education. New York, 1912. 425 pp.

References on vocational guidance, pp. 171-176, 204-205.

NEW YORK CITY. High School Teachers' Association. Students' aid committee. Choosing a career; a circular of information for boys. New York, 1909.

Index to vocational literature, pp. 21-28.

NEW YORK SCHOOL OF PHILANTHROPY. Vocational guidance. (In Public Sociological Library Bulletin no. 2, November, 1911. 3 pp.)

PITTSBURGH. Carnegie Library. Vocational guidance. A ready list for teachers, parents and pupils. Reprinted from Monthly Bulletin, May, 1913. 16 pp.

RICHARDS, C. R. Selected bibliography on industrial education. (In National Society for the Promotion of Industrial Education, Bulletin no. 2, July, 1907.)

RICHARDS, C. R. Selected bibliography on industrial education. (In the 8th Annual Report of the New York State Labor Department, 1909, vol. ii, pp. 357-394. Albany. 394 pp.)

UNITED STATES. Department of Commerce and Labor. Selected bibliography on industrial education. (In the 25th Annual Report of the Commissioner of Labor for 1910, pp. 521-539. Washington. 822 pp.)

Water Supply

BROOKS, R. C. A bibliography of municipal problems and city conditions. New York, 1901. 346 pp.

Water supplies, pp. 302-310.

KANSAS CITY, MO. Public Library. Municipal betterment bibliography. (In Quarterly, viii, no. 2, pp. 21-71, April, 1908.)

Water supply, pp. 69-71.

NEW YORK CITY. Municipal Reference Library. Text books and other material on water supply and water works. (In Bulletin no. 1, October, 1913.)

TURNHAURE, F. E., and RUSSELL, H. L. Public water supplies. 2d edition, revised and enlarged. New York, 1908. 808 pp.

Excellent selected lists at the end of each chapter.

UNITED STATES. Superintendent of Documents. Water pollution, water purification. A price list of public documents. 2d edition. Washington, 1908. (Price list no. 12.)

Woman Suffrage

BROOKINGS, W. D., and RINGWALT, R. C. Briefs for debate. New York, 1911. 213 pp.

Bibliography on woman suffrage, pp. 8-10.

FRANKLIN, M. L., compiler. The case for woman suffrage; a bibliography with

an introduction by M. C. Thomas. New York, 1912.

HOWARD, G. E. Present political questions. An analytical reference syllabus. Lincoln: University of Nebraska, 1913. 184 pp.

Equal suffrage, pp. 73-74, 149-164.

O'FLYNN, JOSEPHINE. Woman suffrage; a reading list of books and parts of books. (In Bulletin of Bibliography, vi, pp. 119-122, 146-147. Boston, 1910.)

PHELPS, EDITH M., compiler. Selected articles on woman suffrage. 2d edition.

Minneapolis, 1912. 290 pp. (Debaters' Handbook Series.)

Bibliography, pp. 1-15.

RINGWALT, R. C. Briefs on public questions. New York, 1911. 229 pp.

Woman suffrage, pp. 8-16.

UNIVERSITY OF WISCONSIN. Division of Extension. Department of debating and public discussion. Woman suffrage. Bulletin of the University of Wisconsin, serial no. 214, general series, no. 22. Madison, 1908.

Bibliography, pp. 3-4.

MUNICIPAL ACCOUNTING

List of Publications issued in the United States since January 1st, 1900 (not including articles in Periodicals).

COMPILED BY MISS MARY BANKS,

Of the Municipal Research Bureau, West Sound, Washington.

ALLEN, WILLIAM H. Better business methods for cities. (Reprinted from the Review of Reviews, Feb. 1908.)

AMERICAN academy of political and social science. Efficiency in city government. Phil. Amer. Academy. 1912. 367p. (Accounting pp. 43-68, 304-5.)

AMERICAN association of public accountants. Report of the committee on standard schedules for uniform reports upon municipal industries and public service corporations. Atlantic City. 1908. 15p.

AMERICAN economic association. Uniform municipal accounts and statistics. Report of a special committee. Dec. 1900. (Reprint from American economic association. Publications, Ser. 3, Vol. 2, pp. 254-292. N. Y. Feb. 1901.)

AMERICAN society for municipal improvement. Report of the special committee on uniformity in municipal accounting and on national statistics. (In Proceedings. 1901, pp. 35-39, Appendix A.-H. pp. 40-81.)

BAKER, MOSES NELSON. Bibliography of uniform municipal accounting. (In National municipal league. Proceedings. 1902, pp. 327-329.)

— Uniform municipal accounting. (In National municipal league. Proceedings. 1900, pp. 239-242.)

— — Uniform municipal accounting and National municipal statistics. (In American society of municipal improvement. Proceedings. 1900, pp. 68-71, Discussion p. 72-73.)

BEMIS, EDWARD W. The control of municipal accounting and statistics in Great Britain. (In National municipal league. Proceedings. 1901, pp. 278-281.)

BOSTON, MASS. See Chase, Harvey S.

BRUERE, HENRY. Accounting and reporting methods. (In his The new city government. N. Y.: Appleton, 1912. pp. 126-170.)

BUREAU of municipal research, New York City. Business methods of New York City's police department; critical study and constructive criticism pertaining to administrative and accounting methods of the Bureau of repairs and supplies. N. Y., 1910. 212p.

— A department of municipal audit and examination. Report of an investigation of the Office of Commissioners of accounts, New York City. N. Y., 1907. 35p.

— Handbook of municipal accounting, prepared by the Metz fund. N. Y., 1913. 318p. (Metz fund handbooks of city business methods, prepared under the direction of Wm. H. Allen, Henry Bruere, Frederick A. Cleveland, directors.)

— Making a municipal budget. Functional accounts and operative statistics for the Department of health of Greater New York. N. Y., 1907. 171p.

— Municipal reform through revision of business methods, New York City. N. Y., 1910. 58p.

— A national fund for promoting efficient municipal accounting and reporting, founded by Herman A. Metz. (Press comment reprints.) N. Y. n. d.

— The park question. 2 vols. N. Y., 1908.

Pt. 1. Critical study and constructive suggestions pertaining to administration and accounting methods. 152p.

Pt. 2. Same, pertaining to revenue and deposits. 124p.

— Press comment on a plan for reorganizing New York City's department of finance. Published by Herman A. Metz, March 16, 1908. Compiled

and issued by the New York bureau of municipal research. N. Y., 1908. 54 leaves.

— New York City's department of finance. Pt. 1. Report on present methods, with suggestions for reorganization, submitted to the Hon. Herman A. Metz, by the Bureau of municipal research. Feb. 1908. 254p.

— Short talks on municipal accounting and reporting. Ulysses L. Leonhauser. No. 1, Sept. 1911—No. 12, Aug. 1912. (Metz fund publications.)

— What should New York's next comptroller do? "The business issue of the next administration." N. Y., 1909. 15p.

METZ FUND. Publications No. 16. Shall cities get along with methods obsolete in efficient private business? N. Y.

CAHOON, JAMES BLAKE. Uniform municipal accounting. (In National municipal league. Proceedings. Phil., 1900. pp. 243-246.)

CAMBRIDGE, MASS. See Chase, Harvey S.

CHARLESTOWN, S. C. Ways and means committee. Method employed in the keeping of accounts, appropriations, etc. City of Charlestown, S. C. n. d. 3p.

CHASE, HARVEY S. Application of uniform accounting to city comptrollers' reports. (In League of American municipalities. Proceedings. 1901, pp. 36-40.)

— Budgets and balance sheets. (In National municipal league. Proceedings. 1910, pp. 214-229.)

— Business management of municipalities. N. Y., 1911. 21p.

— Municipal accounting as the basis for publicity of municipal affairs. (In National municipal league. Proceedings. 1908, pp. 337-347.)

— Municipal revenues and expenditures in relation to the control of quasi-public enterprises. N. Y., Feb. 2, 1906.

— Report of investigation of the department of the state treasurer and receiver-general and the auditor of the Commonwealth, transmitted to the House of representatives by Gov. Foss. Boston. Standard and uniform reports from public utilities, both municipally and privately operated. (In National municipal league. Proceedings. 1906, pp. 227-243.)

— Report to Mayor and City council of Cambridge, Mass. March 1903.

— Report upon the books and accounts of the Collector's department of the City of Boston, with special reference to the results of the acts in regard to special assessments for laying out and construction of highways for the past ten years. May 8, 1901.

— The work of the bureau for uniform municipal reporting, auditing and accounting in the state of Ohio. Feb. 11, 1903.

— Uniform municipal accounting in Boston, Baltimore and other municipalities. (In National municipal league. Proceedings. 1902, pp. 307-321.)

— Uniform public accounting for the state of

Massachusetts. (With Heydecker, Edward Le-Moyne. Proposed public accounting law. 1903.)

— Uniform municipal accounting.—Uniform municipal reporting.—Uniform municipal budgets. Address. . . before the Conference upon uniform legislation, Washington, D. C., Jan. 19, 1910. National municipal league. Phil., 1910. 8p.

— See also Pawtucket, R. I.

CHICAGO (ILL.) City council. Committee on revision of accounts. Letter transmitting report relating to system of municipal accounts for the City of Chicago, the necessary ordinances, and other data. Chic., 1901. 63p.

— Report on the special assessment accounts of the City of Chicago, October 9, 1871 to April 30, 1901. Haskins and Sells, certified public accountants. Chic.: Higgins, 1903. 40p.

— Report relating to system of municipal accounts for the City of Chicago, Dated Nov. 20, 1901. Haskins & Sells, certified public accountants. Chic., 1901. 96p.

— Supplemental report. Ordinances. Chic., 1901. 77p.

CLEVELAND, FREDERICK ALBERT. Chapters on municipal administration and accounting. 1909. Longmans. 361p.

— Chicago accounting reform. Paper read before the 9th annual conference of the National municipal league, April 22, 1903.

— Revenues and expenses as distinguished from receipts and disbursements in municipal accounts. N. Y.: Winthrop press, 1904. 12p.

— The nomenclature and phraseology of municipal administration and accounts. (In National municipal league. Proceedings. 1904, pp. 235-242.)

— What constitutes reasonable uniformity in municipal accounts and reports? (In National municipal league. Proceedings. 1904, pp. 203-215.)

CONFERENCE for good city government. See National municipal league. Proceedings.

DEMING, HORACE E. Uniform municipal accounting and home rule. (In National municipal league. Proceedings. 1905, pp. 248-251.)

FAIRLIE, JOHN A. Municipal accounts and statistics in continental Europe. (In National municipal league. Proceedings. 1901, pp. 282-302.)

FOOTE, ALLEN R. Correct accounting a fundamental basis for regulation and taxation. Oct. 1909. 15p.

— Theory, practice and benefits of uniform public accounting. n. d.

FORD, WORTHINGTON C. and DE BERARD, F. B. Defects of the financial statements of the City of New York, with suggestions for improved forms: Report to the Commissioners of accounts. N. Y.: Merchants association, 1903. 40p.

GETTEMY, CHARLES T. The standardization of municipal accounts and statistics in Massachusetts. (In National municipal league. Proceedings. 1910, pp. 230-245.)

GILMORE, STEPHEN W. Relation of the simplified state accounting system to Wisconsin municipalities. Address before the Municipal league of Chicago. 1901.

GOODNOW, FRANK J. City government in the United States. N. Y.: Century Co., 1908. 315p. (See Index under Accounts.)

— Municipal government. N. Y.: Century Co., 1909. 401p. (See Index under Accounts.)

HANGER, G. W. W. Present condition of municipal statistics in the United States. (In National municipal league. Proceedings. 1901, pp. 264-277.)

HARTWELL, EDWARD MUSSEY. The financial reports of municipalities, with special reference to the requirements of uniformity. (In National municipal league. Proceedings. 1899, pp. 124-135.)

— Uniform municipal accounting and statistics. Read at Detroit conference for good city government. Phil., 1903. 21p. (National municipal league. Pamphlet No. 10.)

HASKINS, CHARLES WALDO. Municipal reform in accounting. Address before the Merchants' Club of Chicago (Chic.?) 1901. 12p.

— The municipal accounts of Chicago. Phil.: Avil Prtg. Co., 1901. 15p.

— Same. (In National municipal league. Proceedings. 1901, pp. 302-314.)

HASKINS & SELLS. The accounting methods of the City of Chicago. Letter supplemental to report of March 20, 1901 to the Merchants' Club, April 13, 1901. N. Y. 1901. 77p.

— Report on the audit of the accounts of the City of Atlanta, two years, Jan. 1, 1899 to Dec. 31, 1900 and outline of a proposed system of accounting. N. Y.: Author, 1901. 23p.

— Report on the methods of accounting of City of Chicago, to a special committee of the Merchants' Club, Chic., 1901. 109p.

— Supplementary report. (N. Y.?) 1901. 77p.

HENDERSON, HARRY B. Benefits derived from uniformity, and independent auditing. (In League of American municipalities. Proceedings. 1900.)

— Uniform accounting and state examination of accounts. (In National municipal league. Proceedings. 1900, pp. 247-256.)

HEYDECKER, EDWARD LEMOYNE. Proposed public accounting law. State of New York, with explanatory memorandum. Chic.: Public Policy Co., 1903.

LEAGUE of California municipalities. California municipal account book.

LEONHAUSER, U. L. Handbook of municipal accounting. 1913. xxx, 318 pp.

— A national fund for promoting efficient municipal accounting and reporting. (In American academy of Political and Social Science. Annals, 1912, pp. 304-306.)

MACINNES, DUNCAN & CHAPMAN, R. M. Municipal accounting and the municipal balance sheet.

Papers read before the Conference of City comptrollers . . . held under the auspices of the United States census bureau at Washington, D. C., Nov. 19 & 20, Feb. 13 & 14, 1906. Phil.: Wick-Gapp Co., 1906. 56p.

MACPHERSON, FRANK H. Municipal accounting: a comprehensive treatise on the subject of municipal accounts. Detroit: Bookkeeper Pub. Co., 1901. 46p.

MASSACHUSETTS. See Chase, Harvey S.

MASSACHUSETTS. Bureau of Statistics, Addresses made at conference of municipal auditing officers. Bost., Jan. 8, 1908.

— Municipal bulletins.

No. 1. Uniform classification of municipal receipts and payments, prescribed for the cities and towns of Massachusetts as a basis for a standard system of accounts and reports. Jan. 1910. Boston, 1910. 64p.

No. 2. Recent legislation relative to town finances and municipal accounts. July 1910. Boston, 1910. 6p.

No. 3. Issue and certification of town notes. Jan. 1911. Boston, 1911.

No. 4. Outstanding indebtedness of certain cities and towns of Massachusetts. March 1911. Boston, 1911, 34p.

MERCHANTS' association of New York. Plan for reforming the accounts, records and reports of New York City, N. Y., 1909. 10p.

METZ FUND. See Bureau of municipal research, New York City.

NATIONAL association of comptrollers and accounting officers. Proceedings. First annual convention. Sept. 26-27, 1906. Wash., 1906.

NATIONAL municipal league. A municipal program. Report of a committee of the National municipal league, adopted by the League Nov. 17, 1899, together with explanatory and other papers. N. Y.: Macmillan, 1900, 246p. (See Index under municipal accounts.)

NATIONAL municipal league. Report of the committee on uniform municipal accounting and statistics. (In Proceedings. 1901, pp. 248-263; 1902, pp. 292-306; 1903, pp. 247-267 appendix; 1904, pp. 191-202; 1905, pp. 206-234.)

New York bureau of municipal research. See Bureau of faunicipal research, New York City.

NEW YORK CITY. Bureau of accounts and statistics. Accountants' report to E. M. Grout, comptroller, submitting the outlines and demonstration of a plan for stating the annual report. . . N. Y.: M. B. Brown, 1903. 115p. tab.

— Commissioners of accounts. Report on an examination of the accounts and methods of the office of the sheriff of New York county submitted April 28, 1913 to Hon. Wm. J. Gaynor, Mayor. N. Y., 1913. 25p.

— Examination of the books of the bureau of water register, department of water supply. N. Y. 1901.

— Municipal "experts," an investigating commission by the use of which the Mayor obtains independent information as to the records and work-

ing of all departments of the city and county government. N. Y., 1911. 32p.

— Report, Dec. 31, establishing ownership of moneys held in trust in adjudicated cases; also report on manner of keeping books in the 23 municipal courts. n. p. 1900. 37p.

Report of a special examination of the accounts⁸ and methods of the night court. N. Y. 1909 117p.

— Report of a special examination of Bureau of collection of city revenue to determine correctness of returns of street railways. N. Y.: M. B. Brown, 1901. 277p.

— Report on records and receipts of Water Department. N. Y., 1901. 59p.

— Special examination of the accounts and methods of the President of the Bronx. N. Y., 1908. 5v. illus.

— Special examination of the accounts and methods of the President of Brooklyn. N. Y., 1909. 5v.

— Special examination of the accounts and methods of the President of Manhattan. N. Y., 1906. 3v.

NEW YORK CITY. Comptroller. New York City's budgetary and accounting revision. N. Y., 1908. 24p.

— Report on municipal accounts. (Annual.)

NEW YORK CITY. Department of finance. Administrative purpose and general description of the new system of accounting and reporting installed in the City of New York by the department of finance. N. Y., 1909. 57p.

— Detailed description of the new system of accounting for expenditures, made operative Jan. 1, 1909. Supplement to the general description. N. Y., 1909. 40p.

— General description of the new system of accounting for expenditures, and the books and forms relating thereto, to be installed in the several departments of the city, Jan. 1, 1909. 15p.

— Department of finance. Manual of accounting and business procedure of the City of New York. Herman A. Metz, comptroller. N. Y.: M. B. Brown, 1909. xxxvi, 552p. Forms.

— Reports to the Comptroller by heads of bureaus and divisions of Finance Department relating to improvements inaugurated since 1906. N. Y.: M. B. Brown, 1908. 154p.

NEW YORK CITY. Advisory commission on taxation and finance. Report of committee on accounting and statistics. N. Y., 1907. 226p.

— Report on system of accounting. N. Y., 1907. 26p.

NEW YORK STATE. Comptroller's office. Comparative statement of accounts compiled from reports of villages having a population of 3,000 or more, April 18, 1905. Albany: Brandow prtg. co. 1906. (Assembly Doc. 129th sess. v. 11, no. 66.) Uniform system of accounting for cities of the second class, Albany, 1912. 116p.

NEWTON (MASS.). Summary statement of receipts and expenditures of the City of Newton, Massachusetts, for the year 1900, by Harvey S.

Chase, arranged in accordance with the preliminary suggestions of the National municipal league committee on uniform municipal accounting and statistics. (In Auditor's report, 1900. pp. 136-155.)

OHIO. See Chase, Harvey S.

PAWTUCKET (R. I.). Report and recommendations of Harvey Chase & Company, expert accountants, on the examination of the books of the city departments, together with a statement of the city's debt. Pawtucket, 1905. 48p.

PECKINPAUGH, A. B. Ohio's experience with uniform accounting and reporting. (In National municipal league. Proceedings. 1906, pp. 216-226.)

PITTSBURGH civic commission. Business efficiency for Pittsburgh. The comptroller's department. A report by Lybrand, Ross Bros. and Montgomery, certified public accountants, prepared under the direction of the committee on municipal research. Adopted by the Commission Aug. 10, 1910. Pittsburgh, 1910. 18p.

POWERS, LEGRAND. The acceptance of municipal accounting reform. (In National league. Proceedings. 1906, pp. 207-215.)

— City finances, budgets and statistics. (In National municipal league. Proceedings. 1910, pp. 473-481.)

— Municipal budgets and expenditures. (In National municipal league. Proceedings. 1909, pp. 258-272.)

— Nature and aims of state central control of municipal accounts and financial reports. (In National municipal league. Proceedings. 1905, pp. 244-247.)

— Uniform accounting in its relation to comparative municipal statistics. (In National municipal league. Proceedings. 1904, pp. 230-241.)

— Uniform accounts as a basis for standard forms for reporting financial and other statistics of health departments. Wash. U. S. census bureau. 1912. 16p.

PRENDERGAST, WILLIAM A. Efficiency through accounting. (In American academy of political and social science. Annals, 1912, pp. 43-56.)

PURDY, L. Uniform public accounting for the state of New York. (With Heydecker, Edward LeMoyné. Proposed public accounting law.)

ROWE, LEO S. Public accounting under the proposed municipal program. (In National municipal league. A municipal program, 1900. pp. 88-110.)

— Same. (In National municipal league. Proceedings. 1899, pp. 104-123.)

ST. LOUIS. Comptroller's office. Special report transmitting report of the bureau of revision of accounts and methods submitted to the municipal assembly. St. Louis, April 15, 1913. 26p.

SPARLING, DR. SAMUEL. The importance of uniformity for purposes of comparison. (In National municipal league. Proceedings. 1899, pp. 136-147.)

STATE uniform system of accounting established under ordinance; description and explanation for towns and cities. New Shawnee, Okla.: Dispatch prtg. & pub. co., 1913. 14p.

STEWART, GILBERT H. Report on uniform public accounting law. Dec. 13 & 14, 1906. (Ohio state board of commerce.)

TAUSSIG, B. J. Results obtainable through reorganization of accounting methods. (In American academy of political and social science. Annals, 1912. pp. 57-63.)

TRACY, JOSEPH T. Administration of the Ohio public accounting law. Address before the Ohio state board of commerce. 1906. 23p.

UNITED STATES. Census bureau. Uniform accounts for systems of water supply. 1911. 44p.

— Uniform municipal accounting. Minutes of a conference held in Washington, Nov. 19 and 20, 1903, under the auspices of the United States bureau of the census. 1904. 89p.

— Uniform municipal accounting. Proceedings of a second conference held Feb. 13 & 14, 1906. 121p.

UNITED STATES. Treasury Dept. Accounting system of the U. S. from 1789 to 1910, prepared under the direction of the chairman of the committee on auditing. Wash.: Govt. prtg. office, 1911. 117p.

WALTON, JOHN M. The application of a municipality of modern methods of accounting and reporting. (In American academy of political and social science. Annals, 1912. pp. 64-68.)

WHINERY, S. Municipal accounts and uniform accounting. (In his Municipal public works. 1903. pp. 175-188.)

WILLIAMSON, CHARLES C. The finances of Cleveland. Columbia University press, 1907. 266p. (Columbia studies in history, economics and public law. v. 25: 345-606. See Index under Accounts.)

WILMOT, H. Municipal accounting reform as illustrated in the city of Minneapolis, Minn. Minneapolis, 1905.

PART TWO

CURRENT REFERENCES

General

BUREAU OF MUNICIPAL RESEARCH, NEW YORK CITY. Organization and business methods of the city government of Portland, Oregon. 1913. 118 p., 1 l.

CHICAGO, ILL. BUREAU OF PUBLIC EFFICIENCY. The nineteen local governments in Chicago. A multiplicity of overlapping taxing bodies with many elective officials. December, 1913. 28 pp., 6 leaves, 10 folding charts. Ce; Cm; Cp; Cs; Np; Sp.

— BUREAU OF STATISTICS AND MUNICIPAL REFERENCE LIBRARY. Chicago city manual, 1913. Prepared by Francis K. Eastman, city statistician. 1914. 200 p. Cm.

— MUNICIPAL REFERENCE LIBRARY. Suggestions for topics in a municipal program, with a discussion. February, 1914. 11 p. Typewritten. Cm.

CITY CLUB OF BERKELEY, CALIF. Berkeley Civic Bulletin. Monthly. Vol. 2, no. 5-6. 1913-1914. Cp; Np; Sp.

No. 5. December, 1913. p. 65-80. Harbor development. The harbor of San Francisco Bay, by Col. Thomas H. Rees. Economic necessity for development of deep water facilities on east shore of San Francisco Bay, by H. A. Lafler. A deep water dock for factories and warehouses in Berkeley, by

Mayor Charles D. Heywood. Great freight terminal for Berkeley, by Wells Drury.

No. 6. January, 1914. p. 81-100. City Planning. I. Introduction to reports by Dr. Werner Hegemann, being made to the City Council of Oakland and the Oakland Commercial Club and to the City Council of Berkeley and the City Club of Berkeley, resp.

CITY CLUB OF CHICAGO. Bulletin, vol. 6, no. 15-16; vol. 7, no. 1-6. December, 1913-February, 1914. Cc; Cm; Cp; Cs; Cj; Np; Sp.

Vol. 6, no. 15. December 16, 1913. Chicago's harbor problem; discussion. p. 307-327.

Vol. 6, no. 16. December 20, 1913. Chicago's garbage problem; discussion. p. 329-338. Lowering the cost of living, by Bert Hall. p. 338-344.

Vol. 7, no. 1. January 12, 1914. The third National Conference on Housing; discussion. p. 1-12.

Vol. 7, no. 2. January 13, 1914. The New Currency Bill, by J. Lawrence Laughlin. p. 13-23.

Vol. 7, no. 3. January 24, 1914. The neighborhood in social reconstruction; by Robert A. Woods. p. 25-32.

Vol. 7, no. 4. February 5, 1914. The colored citizen by Dr. J. E. Spingarn. p. 33-40. The aftermath of the Balkan War, by Mrs. Z. D. Furnajeff. p. 40-48.

Vol. 7, no. 5. February 9, 1914. The strike in the copper country, by Graham A. Taylor. p. 49-60.

Vol. 7, no. 6. February 17, 1914. Chicago and the Ferguson Fund; Discussion. p. 61-68.

CLEVELAND, O. City Record, the official publication of the City of Cleveland. Weekly. Cm; Np; Sp.

Publication began at the beginning of 1914, by the Commissioner of Information and Publicity.

COMMERCIAL CLUB OF KANSAS CITY (Mo). Between trains in Kansas City. 24 p. Np.

An attractive descriptive and statistical booklet. The Club also issues an interesting journal "The Kansas Citian," concerning all of which the publicity division will be pleased to answer inquiries.

LEAGUE OF MINNESOTA MUNICIPALITIES. Proceedings of the first annual convention. 1913. 166 p. 8°. Cp.

Prepared by the Municipal Reference Bureau of the General Extension Division, University of Minnesota.

LIGHTHALL, W. D. What the provincial unions of municipalities have accomplished. Read at the Convention of the Union of New Brunswick municipalities, October 15, 1913. 2 leaves. 4°. Np.

From Canadian Municipal Journal, November, 1913.

NEW YORK CITY. Bureau of Supplies of the Department of Water Supply, Gas and Electricity. Report. November, 1913. 93 p; pls. 8°. Np.

The administrative report of the chief of the bureau, E. C. Church. Mr. Church took charge of the bureau in 1911. His report is an able record of the reorganization of an important bureau on scientific lines.

PARIS, FRANCE. Le conseil municipal. Annuaire illustré des édiles de la ville de Paris. ed. 2. 1913. 219 (1) p. 12°. Np.

An illustrated annual published by Paul Robert, manager of La Cité. The manual may be purchased for fr. 1.50 at the offices of La Cité, 39 Rue de Grenelle, Paris.

REGINA, SASKATCHEWAN. Municipal manual. 1913. 104, iv p., 1 plan. 24°. Np.

TWENTIETH CENTURY CLUB, BOSTON, MASS. A survey of twenty years. 1894-1914. 48 p. Np.

WEST, HENRY L. The national capital. Not a local municipality but, under the constitution, the seat of government of the United States. Address before the Du

Pont Civics Class of Wilmington, Del., January 20, 1914. 13 p. (U. S. 63 congress, 2 session, senate doc. 420.) Cp; Np; Sp.

Accounting and Finance

BUREAU OF MUNICIPAL RESEARCH, PHILADELPHIA. Citizens' Business Series. Np.

No. 80. Summary of departmental estimates for 1914. November 13, 1913. 2 leaves. f°.

BOSTON, MASS. FINANCE DEPARTMENT. Comparative table showing department expenditures for the last 5 years. (Boston City Record, February 7, 1914, p. 99.) Np; Sp.

The years 1909-1913 are covered.

CHICAGO. DEPARTMENT OF FINANCE. Departmental and comptroller's estimates for the year nineteen hundred and fourteen. 1913. 601 p. [i. e. 785 p.]. obl. f°.

— CITY COUNCIL. Report of the committee on finance; appropriation bill for the fiscal year 1914. 1914. 172 p. 4°. Cm.

CLEVELAND, O. Department of Finance. Standard code classification of expenditures. January 1, 1914. 40 p. Cm; Cs; Np.

— — Standard appropriation accounts. (In The City Record for City of Cleveland, January 21, 1914. p. 16-45, tables (1 fold).) Cm; Np; Sp.

— First general ledger report of the city auditor of Cleveland, O. January 1, 1913. 89 p. 4°. Np.

The letter of transmittal is dated August 6, 1913. While even the latter date would make this a rather belated entry, it is thought best to put the issue on record even though it may be a trifle tardy.

DAYTON, O. The budget of the City of Dayton as enacted by the City Commission. February 16, 1914. 42 p. 8°. Np; Sp.

NEW YORK CITY. Finance Department. Budget for 1914. New York, 1914. xxiii, 542 p. 4°. Cm; Np.

— — Communication to the Mayor transmitting statements relating to the financial condition of the city as of January 2, 1914. (In City Record, New York City, 1914. p. 1653-1659.)

PHILADELPHIA, PA. Manual of accounting, reporting and business procedure of the City and County of Philadelphia, John M. Walton, City Controller, effective January 1, 1914. Philadelphia, 1913. x, 66 p. tables, diagrs. 4°. Cm.

ST. LOUIS, MO. FINANCE DEPARTMENT. Special report of the comptroller for the first ten months of the fiscal year 1913-1914 compared with the first ten months of 1912-1913. 11 p. 8°. Np.

SPRINGFIELD, MASS. BUREAU OF MUNICIPAL RESEARCH. Do you want to know where your taxes are going, before they go? Public affairs no. 1. The budget issued by the Springfield Bureau of Municipal Research. 1913. 4 p., tables. 4°. Cm.

Art Commissions

CONFERENCE OF MEMBERS OF ART COMMISSIONS. Art commissions; city and state; suggestions as to their organization and scope. Report of a committee appointed at the conference held December, 1913. 23 p. 8°. Cp; Cs; Np.

Billboards

CIVIC LEAGUE OF ST. LOUIS. Signs and billboards committee. Special bulletin: Keep the billboard regulations! Defeat the proposed amendments! 4 p. 8°. Cp.
911 Locust St., St. Louis.

NEW YORK CITY. Text of proposed billboard ordinance. (City Record, New York City, February 13, 1914. p. 1449-50.) Np; Sp.

Building Law

GATZORT, AUGUST. Limitation of building heights in the city of Chicago. Chicago, December 12, 1913. 14 p. Cm.

NEW YORK CITY. Heights of Buildings Commission. Report to the Committee on the height, size and arrangement of buildings of the Board of Estimate and Apportionment of the City of New York. December, 1913. viii, 76 p., 12 diagrams. Cc; Cp; Np.

This is the report of which an advance notice was printed in the January issue of this bibliography.

(National Municipal Review, January, 1914. p. 201.) Apparently the edition described above is intended to precede a fuller edition for on p. viii is the statement "other appendices and charts omitted from this edition."

Charters

AMARILLO, TEXAS. Proposed charter to be voted on November 18, 1913. 24 p. Cp.

Adopted by a vote of 4 to 1.

AMERICAN PROPORTIONAL REPRESENTATION LEAGUE. A city charter on the representative council plan, that is, the manager plan with proportional representation. 30 folios. 4°. Np.

Issued by C. G. Hoag, sec'y of the League. Address, October to June, Tamworth, N. H. Copies of this tentative charter may be had for fifty cents. The League also supplies rules and ballots for those who want to conduct illustrative elections.

CIVIC LEAGUE OF CLEVELAND. The Municipal Bulletin. City charter number. December, 1913. 17 p. Cc; Np.

CAMBRIDGE, MASS. Charter Commission. Report of the Cambridge Charter Commission containing the draft of the proposed charter. December, 1913. 30 p. 8°. Np.

DETROIT, MICH. Charter. Proposed charter of the City of Detroit, to be voted on at a special election, February 10, 1914. 4 p. l., 175 p. 8°. Cm; Cp; Np; Sp.

The charter was defeated. Out of a total vote of 41,197, 25,245 votes against the charter were cast.

JAMES, HERMAN G. A model charter for Texas cities. February 10, 1914. 23 p. 8°. Cp; Np; Sp.

Bulletin of the University of Texas. Municipal Research series, no. 1. Dr. James is director of the Bureau of Municipal Research and Reference of the University.

MANISTEE, MICH. Text of proposed new charter for Manistee. To be submitted to voters on December 15, 1913. 3 leaves. f°. Np.

The charter was carried. The total number of votes cast was 1,533, 1,155 being in favor of the charter.

Civic Training

See also below under Police.

JAMES, HERMAN G. Universities and good city government. December, 1913. (The *Alcalde*, vol. 2, no. 2, p. 158-163.) Np.

The *Alcalde* is published eight times a year at Austin, Texas, by former students of the University of Texas. Dr. James pleads for systematic training of experts in municipal administration.

NATIONAL MUNICIPAL LEAGUE. [Bulletin] 3d series, no. 2-6. 1913-14. 24°. Cp; Cs; Np.

No. 2. Training for citizenship.

No. 3. Plans for the promotion of civic education.

No. 4. Measuring the value of civic training.

No. 5. How Georgia prepares her teachers to teach citizenship.

No. 6. The U. S. Bureau of Education interested in better training for citizenship.

City Planning

AMERICAN ACADEMY OF POLITICAL AND SOCIAL SCIENCE. Housing and town planning. 296 p. (Annals, vol. 51, whole no. 140, January, 1914.) Cp, Cs; Np; Sp.

ARNOLD, BION JOSEPH. Report on the rearrangement and development of the steam railroad terminals of the City of Chicago. Submitted to the Citizens' terminal plan committee of Chicago. November 18, 1913. 3 p. l., 248 p., illus. 8°.

BROOKLYN DAILY EAGLE. Brooklyn City Plan. The story of the Brooklyn Committee on City Plan, with maps embodying the details of architect Bennett's recommendations. January 18, 1914. 15 p. 4°. Cc; Np.

CHICAGO, ILL. CHICAGO PLAN COMMISSION. Analysis and digest of the reports of the executive officers and the architectural and engineering staff of the Chicago Plan Commission, of Mr. John F. Wallace and of Mr. Bion J. Arnold, to the Committee on Railway Terminals of the City Council of Chicago. November 25, 1913. 12 p. 4°. Cc.

—, —. Improvements which the officers of the Chicago Plan Commission urge for the freight terminal of the Pennsylvania railroad, based on the Wallace recommen-

dations for a freight terminal south of Harrison St.; being a supplement to the recommendations for the west side terminal area submitted to the Committee on Railway Terminals of the City Council, November 28, 1913. December 4, 1913. 4 p. 4°. Cp.

—, —. Position of the officers of the Chicago Plan Commission on the pending ordinances of the Union Station Co. and the Pennsylvania Railroad, submitted to the Committee on Railway Terminals of the City Council on December 16, 1913. 14 p. 4°. Cc; Cm.

—, —. Recommendations for the West Side Terminal area which are fundamental in conserving the plan of Chicago; submitted to the Committee on Railway Terminals of the City Council, November 28, 1913. 18 p., maps, plans. 4°. Cp.

CITIZENS' TERMINAL PLAN COMMITTEE, CHICAGO, ILL. Letter to the mayor and City Council of the City of Chicago. February 2, 1914. 5 p. 8°. Cc; Cm.

COMET, ARTHUR C. Town planning for Dover, N. J. Report to the mayor and Common Council. 1913. 34 p. 8°. Cc.

DAVIS, HENRY E. The District of Columbia. A review of the course of Congress in creating and maintaining the capital city. December, 1913. 12 p. (U. S. 63 congress, 2 session, senate document 403.) Cp; Np; Sp.

FISHER, W. L. and ARNOLD, BION J. Report to the Citizens' Terminal Plan Committee of Chicago. 1914. 16 p. Cm; Cp; Cs.

HEGEMANN, WERNER. A city plan. Chapter I of a report to the City Council of Oakland, Cal., and the Oakland Commercial Club and to the City Council of Berkeley, Cal., and the City Club of Berkeley. (Berkeley Civic Bulletin, vol. 2, no. 6. January 15, 1914. p. 81-100.) Cc; Np; Sp.

LOS ANGELES, CALIF. Municipal Annexation Commission. Report to the City Council November 11, 1913. Approved November 13, 1913. 8 p. Np.

MASSACHUSETTS. STATE LIBRARY. Selected titles on city planning for Massachusetts libraries. List submitted by A. C.

Comey of the Massachusetts Homestead Commission. November 8, 1913. 3 p. 4°. [Typewritten.] Cp.

NORFOLK, VA. Commission on Beautifying the City. Second report, 1912-1913. 32 p. illus. 8°. Np.

Noted in default of the first report, copies of which are no longer obtainable.

ST. LOUIS, MO. CITY PLAN COMMISSION. River des Peres. Establishment of a sanitary district recommended by the City Plan Commission. January, 1914. 11 p. Np; Sp.

SOUTH WALES GARDEN CITIES AND TOWN-PLANNING ASSOCIATION. "Welsh Housing and Town Development." A statement and an appeal. December, 1913. 6 p. 8°. Cc.

WALLACE, JOHN F. Special report to the Committee on Railway Terminals of the City Council of Chicago. December 1, 1913. 38 p. 4°. Cc.

Civil Service

CATHERWOOD, ROBERT. Draft of a model civil service law embodying the essential principles of a practical merit system of public employment. Chicago, 1913. 4°. 15 p. Cs.

Submitted December 1913.

CINCINNATI, O. CIVIL SERVICE COMMISSION. Rules and regulations. Revised December, 1913. 21 leaves. 12°. Cp; Np.

—. ——. Statutes regulating the civil service of the state of Ohio. December, 1913. 40 p. 12°. Np.

CIVIL SERVICE CHRONICLE, NEW YORK. Handbook of instruction for dockmasters; containing the official rules of the Dock department; 100 practice questions on duties; official instructions to dockmasters; answers to previous examination questions; specimen reports; districts of dockmasters; lists of piers and ferries; charter provisions relating to the Dock department, etc., etc. . . . [New York.] Civil service chronicle, 1913. Cj.

Cover-title, 24 p. 1 illus. (port.) 25½ cm. \$1.00.

PORTLAND, ORE. [CIVIL SERVICE COM-

MISSION.] Civil service; charter provisions, rules and regulations of civil service. Adopted December 1, 1913. [1914?] 86 p. 16°. Cp.

Courts

AMERICAN JUDICATURE SOCIETY. Courts for smaller cities. Suggestions based upon an investigation of the administration of justice in the city of Grand Rapids, Michigan. 1914. 24 p. 4°. Np.

—. Suggested causes for dissatisfaction with the administration of justice in metropolitan districts. January, 1914. 30 p. 4°. Np.

Address: 29 South La Salle St., Chicago.

HARLEY, HERBERT. The model municipal court. 11 p. 8°. Np.

Read at the annual meeting of the National Municipal League, Toronto, November 11-15, 1913.

Dance Halls

See Municipal Ownership.

Electoral Reform

CHICAGO WOMAN'S CITY CLUB, CHICAGO, ILL. The woman voter and the primary vote. 1914. 14 p. Cc; Cp; Cs.

Address: 1406, 116 S. Michigan Avenue. Largely list of aldermanic candidates with recommendations of Municipal Voters' League, and Woman's City Club for the woman's primary vote.

CIVIC LEAGUE, OF ST. LOUIS. The short ballot the key to popular government. What it is. What it will do. How to get it in Missouri. 1914. 8 p. Np.

GREENACRE, ALICE. A Handbook for the women voters of Illinois. Edited by Sophonisba P. Breckinridge. 1913. 128 p. 8°. Cc; Cj; Cm; Cp; Cs.

HULL, MORTON D. Non-partisan municipal elections and the abolition of the party circle; a doubt. 1914. 14 p. 16°. Cp; Cs.

INDIANA BUREAU OF LEGISLATIVE INFORMATION. Reading list on elimination of party politics from local elections. December, 1913. 3 p. 4°. Cp. Typewritten.

VERMONT. Legislative Reference Bureau. Direct primaries. 1914. Sp.

Summary of state legislation. Arguments for and against direct primaries.

Excess Condemnation

See also below under Parks and Playgrounds.

CITY CLUB OF NEW YORK. Vote yes on constitutional amendment no. 1, because it will make possible the abolition in New York City of the notorious "three commissioner" system of condemning private property for city purposes. 1913. 10 p. Np.

— . Vote yes on constitutional amendment no. 1. For reasons, read the story of the opening of Kenmare Street, New York City. 1913. 8 p. Np.

Government

KANSAS CITY, Mo. Public Library. A reading list on commission government. November, 1913. 12 p. 16°. (Special library list no. 6.) Cp; Np; Sp.

KINSLOE, JAMES R. Explanation of the commission-manager plan. 3,500 words. (Winona [Minn.] Republican-Herald, August 7, 1913.)

UPSON, L. D. The city-manager plan of government for Dayton. 1913. 4 leaves. Cm; Cp; Cs; Np; Sp.

Reprinted from the National Municipal Review of October, 1913.

Housing

See also the contents given under City Club of Chicago under the general group, above; also under City Planning.

CINCINNATI, O. Schmidlapp Bureau. Housing and standards of living. 1913. 13 p. 8°. Cp; Cs.

CIVIC LEAGUE OF ST. LOUIS. Unregulated cheap lodging houses. December, 1913. 6 leaves, illus. Cs; Np.

FRANKEL, L. K. How insurance companies can help housing. Paper read before the First City and Town Planning Conference under the auspices of the Massachusetts Homestead Commission. Boston, November 19, 1913. 6 p. Cp; Cs.

FROTHINGHAM, PAUL R. Co-partnership in housing. 27 p. (American Unitarian Association. Social Service Series. Bulletin no. 31.) Cp; Cs; Np.

WEBBER, GUSTAVUS A. Report on housing and living conditions in the neg-

lected sections of Richmond, Virginia. 1913. 80 p. illus. Np; Sp.

Mr. Webber is secretary of the Society for the Betterment of Housing and Living Conditions in Richmond. Address 603 Times-Dispatch Building, Richmond, Va.

Liquor Traffic

MANUFACTURERS AND MERCHANTS ASSOCIATION OF NEW JERSEY. One twenty-two of them. 1913. 6 leaves. 24°. Np.

A pamphlet showing for 122 American cities the total arrests in each during 1912, the arrests for drunkenness, ratio of total arrests to population, ratio of drunkenness arrests to population and police expenses. Intended to disprove information published in the 1913 Yearbook of the Anti-Saloon League that police expenses are materially reduced in "dry" towns. Address: 776 Broad Street, Newark, N. J.

Lodging Houses

See Municipal Ownership.

Markets

MILLER, HON. CYRUS C. What the city can do to reduce the cost of living. Address delivered at Binghamton on June 6, 1913, before the Conference of Mayors and other city officials of the State of New York. 15 p. 8°. Np.

Municipal Ownership

HALSTEAD, ALBERT. British municipal undertakings. Letter from the American consul at Birmingham, England, December 17, 1913. Ordered printed February 6, 1914. 23 p. (U. S. 63 congress, 2 session, House document 710.) Cp; Np; Sp.

CHICAGO, ILL. MUNICIPAL REFERENCE LIBRARY. Report on municipal dance halls. February 25, 1914. 12 p. Type-written. Cm.

JAMESTOWN, N. Y. Special Milk Committee. Report to the council in favor of a municipal milk plant. December 8, 1913. Np.

Text seen only in the Jamestown Morning Post of December 9, 1913. On October 20, 1913, Mayor Carlson in a message to the Council advocated the establishment of a municipal milk plant at length. This message was printed in the Jamestown Morning Post of October 21, 1913.

ST. LOUIS, MO. An ordinance (27248) to establish a municipal lodging house in the city of St. Louis. Approved November 18, 1913. 2 p. 12°. Cp; Sp.

Music

CIVIC MUSIC ASSOCIATION OF CHICAGO. [Announcement of plans and aims of organization, 1913-1914.] 4 p. 4°. Cp; Cs.

PORTLAND, ORE. Municipal Reference Library. Municipal music. December 11, 1913. 5 p. 4°. Typewritten. Cp.

"Mostly 1912 statistics, sometimes stated 1913 statistics," covering 17 cities.

Parks and Playgrounds

BERLEW, LAVERA. Recreation survey of Scranton conducted during July and August, 1913, for the Playground Association of Scranton, Pa. 21 p. 8°. Np.

CURTIS, HENRY S. The reorganized school playground. 28 p. 1913. (U. S. Bureau of Education. Bulletin no. 40, 1913.) Cc; Cp; Cs; Np; Sp.

CITY PARKS ASSOCIATION OF PHILADELPHIA. 25th annual report, 1913. 93 p. illus. 8°. Np; Sp.

An important progress report on a great work of reconstruction now actually taking place in one of the large American cities. The unearned increment and excess condemnation principles are discussed from a practical standpoint.

WACKER, CHARLES H. Address of the chairman of the Chicago Plan Commission, in favor of the petition of the South Park Commissioners to the U. S. Government for permission to create a park along the lake front of Chicago between Grant Park and Jackson Park. November 20, 1913. 20 p. 40°. Cc; Cs; Np.

Submitted to the Secretary of War, U. S., at Washington, November 20, 1913. Reprint of the Lake Front improvement recommendation submitted by C. H. Wacker to the City Council of Chicago, in 1911, p. 13-20.

Police

PHILADELPHIA, PA. Training School for Police Service. First annual report, 1913. Np.

The report covers the period from the organization of the school on July 14, 1913, to the close

of the year. The report has not yet been printed and exists in typewritten form only.

Port Development

CITY CLUB OF CHICAGO. Chicago's harbor problem; discussion. December 16, 1913. (Bulletin. vol. 6, no. 15, p. 307-327.)

PEEK, ERNEST D. Duluth-Superior harbor. Statistical report of marine commerce of Duluth, Minn., and Superior, Wis., during season of 1913. With supplemental report of commerce of waterway across Keweenaw Point, Mich. 22 p. Np.

Captain Peek, under whose direction the pamphlet was prepared, is of the Corps of Engineers, U. S. A.

WELLINGTON, NEW ZEALAND. Wellington Harbour Board. Yearbook, 1913-14. Information relative to the port of Wellington, N. Z. 60 p. illus., 2 maps. 12°. Np.

Sent gratis on application.

Public Health

FISHER, IRVING. The health of New Haven. November, 1913. 8 p. (Civic Federation of New Haven. Documents, No. 13.) Cm; Cp; Np; Sp.

NEW YORK CITY. Committee on Inquiry into the Departments of Health, Charities, and Bellevue and Allied Hospitals in the City of New York, appointed by the Board of Estimate and Apportionment. Investigation and report under the direction of Henry C. Wright. Section 2, 4-8. 1913. 4°. Np.

Sect. 2. Citizenship, residence, and dependence of public charges. 159 p., folding tables.

Sect. 4. Ratio of nurses to patients proposed for municipal hospitals. 8 p.

Sect. 5. Children's services in the municipal general hospitals in Manhattan and the Bronx. 23 p., 2 maps, folding tables.

Sect. 6. Physical examination and employment of dependents in city homes (almshouses). 36 p.

Sect. 7. Care of out-patients. 89 p.

Sect. 8-1. Hospital helpers. 33 p.

Public Utilities

BUCK, ROBERT M. Analysis of the report of city electrician Ray Palmer to the City Council concerning electric street

lighting rates to be paid by the city to the Sanitary District of Chicago. Transmitted to the Finance Committee of the City Council by Wallace G. Clark and George W. Paullin, members of the Board of Trustees of the Sanitary District of Chicago. December 3, 1913. 26 p. Cc; Cm.

BUREAU OF PUBLIC SERVICE ECONOMICS, NEW YORK CITY. Municipal plant treatment. Financial relation between city and its public utility. Wisconsin commission defines principles. Sparta, Wis., water case. 2 leaves. Np.

Ten cents the copy. Address 17 E. 38th street, N. Y. City.

CHICAGO, ILL. "Chicago Surface Lines." An ordinance authorizing unified operation of the surface street railways in the City of Chicago and the operating agreement made a part of said ordinance passed by the City Council of the City of Chicago on November 13, 1913. 29 p. Cc; Cm.

—, BOARD OF SUPERVISING ENGINEERS. Initial routes for surface line subways provided for in the 1907 traction ordinances, as recommended by the board October 29, 1913. January 15, 1914. 14 p., folding plates. Cm.

GREAT BRITAIN. FOREIGN OFFICE. Report on the supply of electricity in Germany by the chief works in which private concerns and public bodies are jointly interested. October, 1913. 28 p. (Diplomatic and Consular Reports. Miscellaneous Series. No. 685.) Np.

LOS ANGELES, CALIF. Board of Public Utilities. Report no. 1. Valuation of street and interurban railway lines in the City of Los Angeles, Cal. Inventory and valuation of the Los Angeles Railway Corporation including the city railway. January 8, 1914. 32 p. Cc; Cm; Np; Sp.

MASSACHUSETTS. Annual address of Governor David I. Walsh to the two branches of the state legislature, January 8, 1914. Np.

On pages 47-48 of his annual address, Governor Walsh points out that under the law of Massachusetts no municipality of the commonwealth in which

a gas or electric light company exists, can undertake either the electric light or gas business without expensive and protracted litigation. As the law reads a municipality has no option but to purchase the entire plant of a private company, both gas and electric light, even though the municipality wishes to enter only one class of the business. Governor Walsh says this legislation is peculiar to Massachusetts, no other state thus penalizing municipal ownership.

NATIONAL MUNICIPAL LEAGUE. Committee on Franchises. Report submitted at the Conference for Good City Government held at Toronto, November, 1913. 11 p. Np.

NEWCOMB, GEORGE EDDY. Subways in loop district are impracticable. January 31, 1914. 12 p. Cc.

SULLIVAN, THOMAS, ELLICOT, EDWARD B., and ADCOCK, EDMUND D. A letter to the honorable chairman and members of the Finance Committee of the City Council of the City of Chicago concerning the proposed rate to be fixed for electricity furnished by the Sanitary District to the City of Chicago for its electric street lighting system. By Thomas M. Sullivan, trustee, Edmund B. Ellicott, electrical engineer, and Edward D. Adcock, attorney, committee appointed by the Engineering Committee of the Sanitary District to negotiate concerning the city contract with a similar committee appointed by the Finance Committee of the City Council. January 2, 1914. 11 p. Cc.

Appendix, Proceedings of Sanitary District, December 1, 1913, p. 1553-1602.

Schools

EVANS, A. M. Vocational education in Wisconsin; articles prepared for the Chicago Record-Herald. 1913. 51 p. 12°. Cp.; Cs.

Published by the Commercial Club of Chicago.

MINNEAPOLIS, MINN. Teachers' Club. A vocational survey of Minneapolis. 1913. 90 p. 8°. Cp; Cs.

NEW YORK CITY. School Inquiry Committee. Final report of the Committee. 1913. 3 vols. 4°. Np.

PORTLAND, OREGON. Report of the survey of the public school system of school district no. 1, Multnomah County, Oregon.

City of Portland. Report of the committee appointed at the Taxpayers' Meeting held on December 27, 1912. Submitted November 1, 1913. xx, 313 p. 8°. Cm; Np.

ST. LOUIS. Municipal Reference Library. School boards: methods of choosing members, term of office, number and qualifications. November, 1913. 5 p. 4°. Typewritten. Cp.

Digest and tabulation from 11 cities, the result of a questionnaire.

SOBEL, JACOB. Prejudices and Superstitions met with in medical school inspection. November, 1913. 13 (1) p.

New York City. Department of Health. Reprint series no. 13.

UNITED STATES BUREAU OF EDUCATION. Legislative Circular. 1914. no. 1-2. January 30 and February 10, respectively.

A most useful publication, being an index of bills which in any way bear on education, currently introduced and the action on the same in the various states.

Sewage Disposal

NEW YORK STATE. Metropolitan Sewerage Commission. Preliminary reports on the disposal of New York's sewage. Np.

No. 8. Tidal currents in New York Harbor as shown by floats. October, 1913. 46 p. 4°.

No. 9. Rainfall and the relations between the volumes of domestic sewage, storm water and tidal water in New York Harbor. November, 1913. 21 p. 4°.

Smoke Abatement

CHICAGO, ILL. DEPARTMENT OF SMOKE INSPECTION. Notes on smoke abatement. January 1, 1914. Typewritten. 5 p. Cm.

KIMBALL, HERBERT H. The meteorological aspect of the smoke problem. 1913. 51 p. (Mellon Institute of Industrial Research. Smoke Investigation Bulletin no. 5. University of Pittsburgh.) Cm; Cp; Cs; Np; Sp.

SALT LAKE CITY, UTAH. Commercial Club. Report of the special committee [appointed in 1913] to investigate the causes of the smoke nuisance in Salt Lake City. n. d. 3 p. Typewritten. Cp.

UNDER-FEED STOKER CO. OF AMERICA. Smoke abatement. 62 (1) p. illus. booklet. obl. 12°. Np.

Social Betterment

BROOKLYN, N. Y. Bureau of Charities. Department of Social Betterment. Directory of speakers on municipal problems. Suggesting a social program for Greater New York. 20 p. obl. 8°. Np.

Address 69 Schermerhorn street, Brooklyn, N. Y.

CHARITY ORGANIZATION SOCIETY, NEW YORK CITY. Department for the Improvement of Social Conditions. Annual report. 1912-1913. 34 p. Cm; Np.

CHICAGO SOUTH SIDE CLUB. Survey of the conditions demoralizing to women and girls in the saloons of Chicago. 1914. 12 p. 24°. Cp; Cs.

Address: Philanthropy and reform department of the club, 731 Plymouth Ct., Chicago. Five cents per copy.

CINCINNATI, O. JUVENILE PROTECTIVE ASSOCIATION. Recreation survey of Cincinnati. December 1, 1913. 48 p. Cm; Cp; Cs.

CITIZENS' ASSOCIATION OF CHICAGO. Bulletin no. 30. On the suppression of dice games in Chicago. December 3, 1913. 4 p. Cc.

CITY CLUB OF CHICAGO. Program of a competition with cash prizes for the procuring of a scheme of development for an educational, recreational, social and shopping center. February 11, 1914. 4 p. Typewritten. Cp.

CLEVELAND, O. FEDERATION FOR CHARITY AND PHILANTHROPY. The social yearbook. The human problems and resources of Cleveland. December, 1913. 238 p.

Price 25 cents the copy. The Federation, a striking instance of co-operative benevolence, was established in 1913. This is its first yearbook. The first part of the book is made up of a series of articles on a program for making Cleveland the first city in good will, viz., on Dependency and Delinquency, Housing Reform in Cleveland, Play and Recreation, The Human Side of Industry in Cleveland, Education in Cleveland, Moral and Constructive Agencies, The Public Health Activities of Cleveland. The second part of the volume contains a series of reports on the means for carrying this program into effect.

JENKINS, FREDERICK W., and BLACK, E. L. The social survey. [Bibliography.] 7 p. (In Bulletin of the Russell Sage Foundation Library, no. 2, December, 1913.) Cs; Np.

RUSSELL SAGE FOUNDATION. Department of Surveys and Exhibits. Scranton in quick review. 1913. 31 p. 8°. Np.

Made for and published by The Century Club of Scranton.

ST. LOUIS, MO. MUNICIPAL REFERENCE LIBRARY. Regulation of public dance halls; municipal legislation, compiled by the municipal reference library, St. Louis, Mo. n. d. 27 p. 4°. Cp.

Copied by the Public Affairs Information Service, January, 1914.

"Summary of the laws in force in certain American cities."

SOCIAL RESEARCH COUNCIL OF BOSTON. An additional list of social investigations in Greater Boston to September, 1913. 38 p. 8°. Cc; Cs; Np; Sp.

The Social Research Council is affiliated with the Department of Social Ethics of Harvard University. The publication listed above is Bulletin no. 2 of the council and no. 9 of the Publications of the Department of Social Ethics. The first list of social investigations in Boston was published in July, 1912, as Bulletin no. 1 of the Council.

Social Centers

WOODS, ROBERT A. The neighborhood in social reconstruction. (The City Club of Chicago. Bulletin, January 24, 1914. pp. 25-32.) Cc; Cm; Cp; Cs; Cj; Np; Sp.

Social Evil

PITTSBURGH, PA. Morals Efficiency Commission. Report and recommendations of the commission. 1913. 43 p. Cp; Np; Sp.

ST. LOUIS, MO. Committee of One Hundred for the Suppression of Commercialized Vice in St. Louis. Brief in support of citizens' memorial to the board of Police Commissioners of St. Louis, Missouri, on the illegality and inexpediency of segregating commercialized vice in St. Louis. 32 p. Cp; Cs; Np; Sp.

Streets

CHICAGO, ILL. Commissioner of Public Works and Civil Service Commission. Reports on the Bureau of Streets. October, 1913. 112 p., 29 plates. Cc; Cp; Cs; Np.

CITY CLUB OF MILWAUKEE. Committee on Street Lighting. Communication on the pending question of street lighting in Milwaukee. January 3, 1914. 4 leaves. 4°. Np.

Taxation

See also above under Parks and Playgrounds.

BUREAU OF MUNICIPAL RESEARCH, PHILADELPHIA, PA. Seven years of municipal finance, assessed valuation of property: The best single index of Philadelphia's opportunity. December 11, 1913. 20 p., tables, diagrams. Cm.

MUNICIPAL LEAGUE OF LOS ANGELES, CAL. Special Committee on Assessments. Assessment of taxes on downtown business property in the City of Los Angeles, with charts of fifteen business blocks, showing assessments on real estate and front foot valuation. December, 1913. 12 p. 4°. Cm; Cp; Cs; Np.

SWAN, HERBERT S. A clear statement of the nature and expected results of the increment tax. How the plan would work out in New York. 3,500 words. (N. Y. Commercial Advertiser, February 21, 1914.) Np.

Traffic

CHICAGO (ILL.). Public Library. Municipal Reference Library. Municipal Reference Bulletin no. 1. Rates of fare of public motor vehicles in fifteen large cities. 1913. 4 leaves. Np.

HARRIS, H. P. London traffic problem. Address at Caxton Hall, November 24, 1913. 19 p. Cm; Np; Sp.

Published by the London Municipal Society.

Water Supply

NEW YORK CITY. Board of Water Supply. Catskill water supply. Reports, letters, etc., on the city tunnel and the delivery of Catskill water to the several bor-

oughs of the city. 1912. 186, v p., plates, sheets, maps. Np.

ERICSON, JOHN. Chicago water works. October, 1913. p. 763-796. 8°. Cc; Cp; Np; Sp.

Reprinted from the Journal of the Western Society of Engineers, October, 1913.

HANSEN, PAUL. Increasing the efficiency of small water works and sewage treatment plants. 1913. Sp; Cp.

Reprinted from the annual proceedings of the Illinois Society of Engineers and Surveyors.

PHELPS, EARLE B. The Wilmington (N. C.) water supply. An investigation

made during November and December 1913. p. 61-74. 1914. (U. S. Public Health Service. Reprint no. 161.) Cp; Np; Sp.

Workmen's Compensation

BERKELEY, CALIF. Ordinance no. 310, adopted December 30, 1913, providing for payment of compensation for death or personal injury sustained by employees of the city in the course of their employment by the city and creating a fund to be known as the "Employers' Compensation Fund." Np.

Text seen only as a newspaper clipping.

INDEX AND TITLE PAGE

for the 1913 volume of the

National Municipal Review

can be had upon application to the

REVIEW

703 North American Building

Philadelphia

William F. Morse

CONSULTING
SANITARY
ENGINEER

90 West Street

New York City

Expert Investigation and Reports upon all questions of Waste Collection and Disposal. Designs for Refuse Disposal Plants of any capacity required, and Special Furnaces for any purpose.

National Association for the Advancement of Colored People

26 Vesey Street, New York. Publishes Crisis Magazine. Ten branches. Legal aid, literature, speakers, lantern slides, press material, etc. President, Moorfield Storey; Chairman of the Board of Directors, Oswald Garrison Villard; Treasurer, Walter E. Sachs; Editor of the Crisis, W. E. B. DuBois; Secretary, May Childs Nerney.

THE MORTON DENISON HULL PRIZE

The NATIONAL MUNICIPAL LEAGUE, through the generosity of Hon. Morton Denison Hull of Chicago, has established an annual prize of Two Hundred and Fifty Dollars, to be awarded for the best essay on a subject connected with municipal government. The competition is open to post-graduate students who are, or who have been within a year preceding the date of the competition, registered in any college or university of the United States offering distinct and independent instructions in municipal government.

For the year 1914, the prize will be awarded for the best essay on any one of the under-mentioned topics:

1. The history of municipal government in the United States during either one of the following periods: (a) from the Revolution to the Civil War; (b) from the Civil War to the present time.

2. The charter and the practical workings of government in any American city having a population of 50,000 or over.

3. The legal problems involved in the home-rule charter, with special reference to the experience of those states in which the system has been in operation.

4. The actual operation of the following features in American municipal government: (a) the initiative and referendum; (b) the recall; (c) proportional and minority representation; (d) limited and preferential voting.

5. Public utilities' commissions, with special reference to the control of municipal public utilities in any state of the Union.

6. Municipal accounting and budget-making, with special reference to the actual results derived from the use of new and uniform methods.

7. The sources of municipal income in any state of the Union. (The study should deal with such matters as productiveness, cost of collection, and a general outline of each source. Competitors who think of choosing this subject should make sure that it has not been already covered by some published study, as, for example, in the case of Illinois).

8. The municipal charter system, whether general or special, in any state of the Union which contains at least two cities of more than 50,000 inhabitants.

(continued on following page)

(continued from preceding page)

9. The development, present extent, and actual results of municipal ownership and operation of public utilities in American cities.

10. Nomination methods and election machinery in cities, with special reference to ballot reform.

Any suitable subject not included within the above list may be selected by a competitor provided it be submitted to the Secretary of the League and approved by him at least thirty days before the time set for the close of the competition.

The essays should not exceed 20,000 words, and must be type-written in duplicate. They should contain marginal or foot-note references to the authorities consulted. Essays must be mailed in duplicate, or delivered to an express company, not later than September 15, 1914. (Essays in the competition of 1915 will be called for not later than June 1.) They should be addressed to Clinton Rogers Woodruff, Secretary of the National Municipal League, North American Building, Philadelphia, Pa., and marked "*For the Hull Prize.*" The name of a competitor must not appear on the essay. A fictitious name or some other designation must be given instead, and the real name of the competitor (together with university and home address) must be enclosed in a sealed envelope accompanying the essay.

The prize will be awarded by a board of judges selected by the Executive Committee of the National Municipal League.

No essay which has already been published will be considered as eligible for the prize. The National Municipal League shall have the privilege of printing the successful essay or any portion of it.

For additional details concerning the scope and conditions of this competition, inquiries may be addressed to the Secretary of the League, or to the Chairman of the League's Committee on the Administration of this prize.

On behalf of the NATIONAL MUNICIPAL LEAGUE,

CLINTON ROGERS WOODRUFF, *Secretary.*

COMMITTEE ON THE HULL PRIZE.

WILLIAM BENNETT MUNRO, *Chairman,*
Harvard University, Cambridge, Mass.

LEO S. ROWE,
University of Pennsylvania,
Philadelphia, Pa.

HOWARD L. MCBAIN,
Columbia University, New York City.

March 31, 1914.

THE SURVEY

Social Service

Civic Progress

Industrial Problems

THE SURVEY is a weekly magazine for all those who believe that progress in this country hinges on social service, that legislation, city government, the care of the unfortunate, the education of children, the work of men and the homes of women must pass muster in their relation to the common welfare.

THE SURVEY brings to bear upon such subjects through its weekly issues, the hard won experience, the analysis and the judgment, and still more important, the ideals of the social and civic workers of the country. Among these, Jacob Riis, Florence Kelley, and Louis Brandeis are frequent contributors. The editors are Edward T. Devine, Graham Taylor, Jane Addams and Paul U. Kellogg.

Scholarly readers will find that the regular departments devoted to civics, industry, health, education, church and the community and social agencies, which now appear weekly instead of monthly, facilitate reference to it on special subjects. For this reason, The Survey is used as collateral reading for courses in social economy, sociology, economics, and social service, etc., in leading colleges throughout the country.

The subscription price is \$3 per year, or we will send to any reader of the National Municipal Review six months' issues for \$1.

THE SURVEY ASSOCIATES, INC.

105 East 22nd Street

::

::

New York, N. Y.

Proceedings of the National Conferences for Good City Government

The Proceedings of the National Conferences for Good City Government published annually from 1894 to 1910 (inclusive) by the National Municipal League, forming as they have done a most complete, satisfactory and up-to-date discussion of the municipal problem, have become a standard work of reference for those interested in the welfare of American municipalities and in the solution of the complex questions confronting them, especially along administrative, political and social lines.

These volumes have had a large sale and the editions for the years 1894, 1895, 1898, 1903, 1904, 1905, 1906, have long since become exhausted. We are still able to supply copies of those for the intervening years, to wit, 1896, 1897, 1899, 1900, 1901, 1902, 1907, 1908, 1909 and 1910, but as the editions of some of these latter are well-nigh exhausted, those still desiring copies to complete their sets are requested to send their orders promptly to

NATIONAL MUNICIPAL LEAGUE

703, North American Bldg.

::

::

Philadelphia